



# Journal of the Senate

Number 9—Regular Session

Thursday, April 4, 2013

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## CALL TO ORDER

The Senate was called to order by President Gaetz at 2:00 p.m. A quorum present—40:

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

## PRAYER

The following prayer was offered by Chaplain Robert Jakoby, Director of Pastoral Care Services, Baptist Health South Florida, Miami:

Almighty God, maker of heaven and earth and all living things, we bow before you in humble adoration, not just for the many blessings you give, but for who you are. Thank you for your love, your grace, and your mercy. God, you know us intimately: our strengths, our weaknesses, our accomplishments, and our failures, but continue to love us anyway.

Most Holy God, we come before you confessing that you and you alone are God. In our humanness, we sometimes go our own way doing our own thing, forgetting about you. Please forgive us our failures and give us a heart of obedience to love you more. Thank you for holding us accountable for our actions. In so doing, we realize our need for you. Help us see people, all people, through your eyes with the same love and forgiveness you give to us. We covet your wisdom and guidance in our lives.

Loving God, I thank you for each Senator and Senator's family. I ask you, dear Lord, to give the Senators discernment and knowledge as they face many challenging decisions during these sessions. Encourage, strengthen, and support each one in doing the right thing—the right

thing in honoring you and as they serve the people of the great State of Florida. Grant them your blessings and peace even in the difficult times.

Out of my faith tradition, in Christ's name, Amen.

## PLEDGE

Senate Pages Isabella Ganthier of Lake Placid; Abigail Creighton of Largo; Quentin Ward of Niceville; José Barajas of Tallahassee; and Meredith Abberger of New Port Richey led the Senate in the pledge of allegiance to the flag of the United States of America.

## SPECIAL PERFORMANCE

At the request of Senator Margolis, the President introduced Alexandra Muñoz and Roberto Garcia Fernandez, who sang the National Anthem, *The Star Spangled Banner* in celebration of Miami-Dade County Days and University of Florida Gator Day at the Florida Capitol. Alexandra and Roberto are students at the New World School of the Arts in Miami and proud members of Gator Nation.

## DOCTOR OF THE DAY

The President recognized Dr. Ronald Hartsfield of Tallahassee, sponsored by Senator Montford, as doctor of the day. Dr. Hartsfield specializes in Internal Medicine.

## ADOPTION OF RESOLUTIONS

On motion by Senator Hays—

By Senator Hays—

**SR 1782**—A resolution recognizing April 4, 2013, as “Guardian ad Litem Day” in Florida.

WHEREAS, the guardian ad litem program represents the best interests of abused and neglected children involved in dependency court proceedings, and

WHEREAS, more than 9,000 dedicated and talented Floridians serve as volunteers for the guardian ad litem program, and

WHEREAS, studies show that children who have a volunteer guardian ad litem receive more services and are half as likely to return to foster care, and

WHEREAS, not only do guardian ad litem volunteers advocate for a child's best interest, but they also serve as educational advocates and mentors, and

WHEREAS, for more than 30 years, the guardian ad litem program has enhanced Florida communities through public and private partnerships that allowed the program to expand, and

WHEREAS, the guardian ad litem program received the 2012 Prudential-Davis Productivity Eagle Award which recognized it as a leader among public agencies in productivity and for saving money for Florida taxpayers and businesses, and

WHEREAS, the guardian ad litem program strives to achieve permanency for children in the dependency system, and was recognized by the Congressional Coalition on Adoption Institute with its Angels in

Adoption Award for excellence in finding “forever families” for children in the foster care system, and

WHEREAS, Florida Trend called the program, “. . . an elegant combination of effectiveness and accountability, of individuals joining hands with government to give a voice to innocent kids who are suffering through no fault of their own,” NOW, THEREFORE,

*Be It Resolved by the Senate of the State of Florida:*

That we extend thanks and best wishes to all who serve as guardians ad litem and recognize April 4, 2013, as “Guardian ad Litem Day” in Florida.

—was introduced out of order and read by title. On motion by Senator Hays, **SR 1782** was read the second time by title and adopted.

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On motion by Senator Margolis—

By Senator Margolis—

**SR 1820**—A resolution recognizing April 3 and 4, 2013, as “Miami-Dade County Days at the Capitol” and celebrating the 25th anniversary of this event.

WHEREAS, greater Miami-Dade County contains thousands of businesses that employ millions of people and is the site of foreign consulates, international trade offices, and binational chambers of commerce, and

WHEREAS, Miami-Dade County is a center of world finance, with hundreds of financial institutions and foreign agencies within its boundaries, and

WHEREAS, the film and music industries have made Miami-Dade County one of the largest entertainment production centers in the nation, and

WHEREAS, agriculture continues to provide millions of dollars annually in economic activity to Miami-Dade County, and the agricultural industry has diversified in such a manner that Miami-Dade County is now one of the largest producers in the United States of tropical fruits, ornamental plants, and fish, and

WHEREAS, manufacturing is also a key industry in Miami-Dade County, with thousands of companies employing tens of thousands of individuals in manufacturing jobs, and

WHEREAS, Miami-Dade County is currently experiencing a cultural boom in world-class entertainment and cultural activities, which is evidenced by the thousands of nonprofit cultural organizations offering dance, theater, music, visual arts, and various festivals and special events, and

WHEREAS, the Miami-Dade County community is a microcosm of the world in which scores of countries are represented and diverse languages are spoken daily, and

WHEREAS, 25 years ago, the late Representative John F. Cosgrove, as chairperson of the former Dade County legislative delegation, worked with the private sector to create what is now Miami-Dade County Days in Tallahassee, NOW, THEREFORE,

*Be It Resolved by the Senate of the State of Florida:*

That the Florida Senate recognizes April 3 and 4, 2013, as “Miami-Dade County Days at the Capitol” and celebrates the 25th anniversary of this event.

—was introduced out of order and read by title. On motion by Senator Margolis, **SR 1820** was read the second time by title and adopted.

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At the request of Senator Thompson—

By Senator Thompson—

**SR 340**—A resolution celebrating the life of Mother Carrie Mae Muse Lawson.

WHEREAS, Carrie Mae Muse was born on September 27, 1928, to the late Lucille Ray Muse and Ed Muse in Midway, and

WHEREAS, Carrie May Muse graduated from Midway High School and went on to attend Florida Agricultural and Mechanical University, where she received technical training in the culinary arts, and

WHEREAS, Carrie Mae Muse met and married the love of her life, Alfred J. Lawson, Sr., and, together, they raised six children in a home that emphasized the importance of family, community, and education, and

WHEREAS, after her conversion at an early age at the St. Luke Primitive Baptist Church in Midway, Carrie Mae Muse Lawson continually pursued a deeper knowledge of scripture, joining St. John Primitive Baptist Church, where she served on the Mother’s Board and was president of the junior choir and, later, the Midway Church of God in Christ, and

WHEREAS, Carrie Mae Muse Lawson is remembered as “The Songbird” at the Midway Church of God in Christ, where she served on the Mother’s and Missionary Boards, sang in the E.L. Sheppard Memorial Choir, and served as the president of the usher board for the Big Bend District, and

WHEREAS, Carrie Mae Muse Lawson was an avid civic worker, serving as a poll worker in many elections and coordinating the annual Midway Day Celebration, and

WHEREAS, Carrie Mae Muse Lawson was a proud and devoted mother and grandmother and is survived by her daughters, Sandra Lawson, Verla Lawson-Grady, and Angela Martin; her sons, Alfred, Arthur, and Kelvin Lawson; and 11 grandchildren, NOW, THEREFORE,

*Be It Resolved by the Senate of the State of Florida:*

That we celebrate the life well lived of Carrie Mae Muse Lawson and extend our deepest sympathy to her beloved family and host of friends.

—**SR 340** was introduced, read and adopted by publication.

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At the request of Senator Dean—

By Senators Dean and Soto—

**SR 1788**—A resolution recognizing April 2013 as “Springs Protection Awareness Month” in Florida.

WHEREAS, Florida’s springs are essential to the environment, economy, and citizens of, and visitors to, this state, and

WHEREAS, Florida has one of the most productive aquifers in the world, which supports more than 700 natural springs, giving this state the world’s highest concentration of springs, and

WHEREAS, more than 93 percent of Florida residents rely on the groundwater supply and its vitality to the state’s economy, and

WHEREAS, springs are a natural resource that must be protected, as they reflect groundwater conditions and provide an important habitat for wildlife and listed species, and

WHEREAS, springs provide important recreation resources and opportunities that are enjoyed by citizens and visitors alike, and

WHEREAS, Florida’s springs discharge more than 8 billion gallons of water each day, which is essential for sustaining spring runs and associated receiving water bodies, and

WHEREAS, healthy springs reflect the State of Florida’s commitment to sustainable ground and surface water resource protection, NOW, THEREFORE,

*Be It Resolved by the Senate of the State of Florida:*

That April 2013 is recognized as “Springs Protection Awareness Month” in Florida, and all levels of government are encouraged to support springs protection, restoration, and preservation awareness.

—**SR 1788** was introduced, read and adopted by publication.

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At the request of Senator Joyner—

By Senator Joyner—

**SR 1794**—A resolution recognizing April 4, 2013, as “The Links, Incorporated, Day” at the Capitol and applauding the organization’s efforts to create a better quality of life for the children of this state.

WHEREAS, The Links, Incorporated, with its mission and purpose of friendship through community service, is composed of more than 12,000 members, located in 41 states, the District of Columbia, and the Commonwealth of the Bahamas, and

WHEREAS, members of The Links, Incorporated, are women of African ancestry who are well educated, highly skilled and trained, and capable of assisting others in overcoming adverse conditions and fostering remedies that are critical to the advancement of our communities and the advancement of our youths into professional areas such as science, technology, education, and mathematics (STEM) education and its effect on African-American youth, and

WHEREAS, working through its five functional facets, International Trends and Services, National Trends and Services, The Arts, Services to Youth, and Health and Human Services, The Links, Incorporated, relies heavily on the expertise of its professional members, including computer analysts, engineers, scientists, statisticians, and educators, who work in collaboration with other specialists to have a greater impact on society through relevant and creative initiatives, and

WHEREAS, The Links, Incorporated, will promote STEM activities and programs in an effort to close the achievement gap for minority children by targeting pre-K through college classrooms, encouraging and preparing students to attend colleges and universities that have STEM programs, exposing students to STEM-related careers, and equipping students with the skills to compete and excel in a global workforce that increasingly relies on individuals with STEM-related proficiencies, and

WHEREAS, a host of “Links” representing the Southern Area of the organization have converged on the Capitol from throughout the state to show their solidarity and support of STEM education through the arts and mentoring, NOW, THEREFORE,

*Be It Resolved by the Senate of the State of Florida:*

That the Senate welcomes members of The Links, Incorporated, from the Southern Area, applauds their passion for STEM education career readiness initiatives, mentoring our youth, and eradicating childhood obesity and recognizes April 4, 2013, as “The Links, Incorporated, Day” at the Capitol.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Eneid A. Francis, Southern Area Director of The Links, Incorporated, as a tangible token of the sentiments expressed in this resolution.

—**SR 1794** was introduced, read and adopted by publication.

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At the request of Senator Hays—

By Senator Hays—

**SR 1804**—A resolution recognizing master craftsman Jeff Penuel for his painstaking restoration of the Carr Family Cabin in the Ocala National Forest.

WHEREAS, the Carr Family Cabin is a historically significant structure located on 46 acres of wild land donated to the Ocala National Forest in 2007 by Tom Carr, and

WHEREAS, the Carr Family Cabin was built 74 years ago by a local Florida Cracker craftsman, using the Carr family as his labor, and

WHEREAS, the Carr Family Cabin was the location where Tom Carr’s brother, Archie, a famous naturalist, was introduced to Florida’s wild lands, setting the stage for his lifetime commitment to this state’s ecological conservation and the global plight of vanishing sea turtle populations, and

WHEREAS, the Carr Family Cabin is often compared to naturalists Henry David Thoreau’s Walden, Aldo Leopold’s “shack,” and Marjorie Kinnan Rawlings’ Cross Creek, and

WHEREAS, in 2007, with the Carr Family Cabin in imminent danger of collapse, the United States Forest Service commissioned the exterior bracing of the disintegrating structure, contracting with local custom-home builder Jeff Penuel, himself a direct descendent of Florida Crackers, and

WHEREAS, in 2008, the Carr Family Cabin was determined eligible for listing on the National Register of Historic Places, and

WHEREAS, with the Carr Family Cabin braced, the United States Forest Service formed a partnership with the Umatilla Historical Society which gave birth to the Friends of Carr Cabin, and under the umbrella of the organization’s tax exempt status, funds were raised to restore the cabin, and

WHEREAS, the Friends of Carr Cabin once again turned to Jeff Penuel, who, over the course of the next 4 years, lovingly and painstakingly restored the structure, donating significant time and resources to bring the project to completion, and

WHEREAS, in 2012, the Society for History in the Federal Government awarded the Carr Cabin Restoration Project the distinguished John Wesley Powell Prize for outstanding achievement in historic preservation, and

WHEREAS, the restoration of the Carr Family Cabin is testimony to Florida Cracker determination and the power of community partnerships, NOW, THEREFORE,

*Be It Resolved by the Senate of the State of Florida:*

That we recognize master craftsman Jeff Penuel for his painstaking restoration of the Carr Family Cabin in the Ocala National Forest.

—**SR 1804** was introduced, read and adopted by publication.

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At the request of Senator Thompson—

By Senator Thompson—

**SR 1812**—A resolution recognizing Alpha Kappa Alpha Sorority, Inc., for its worldwide service.

WHEREAS, Alpha Kappa Alpha Sorority, Inc., was founded in 1908 at Howard University in Washington, D.C., the first sorority established by African-American college women, and

WHEREAS, Alpha Kappa Alpha Sorority, Inc., is an international organization with many chapters located in communities and on college and university campuses in this State, and

WHEREAS, Alpha Kappa Alpha Sorority, Inc., is committed to community service and has made numerous contributions to the educational, civic, and social lives of the people of this State, and

WHEREAS, Alpha Kappa Alpha Sorority, Inc., continues its support of the international program “Empowering Communities with Global Leadership through Timeless Service,” and

WHEREAS, Alpha Kappa Alpha Sorority, Inc., has implemented an action plan that includes the creation of grassroots campaigns to work with local communities to educate and raise awareness regarding human trafficking, and the members of Alpha Kappa Alpha Sorority, Inc., advocate the adoption of laws at the local, state, and federal levels which seek to prevent human trafficking by strengthening the penalties for this heinous offense, and

WHEREAS, Alpha Kappa Alpha Sorority, Inc., has partnered with several advocacy groups, including the Eunice Kennedy Shriver National Institute of Child Health and Human Development, regarding an Asthma Prevention and Management Initiative to encourage early diagnosis and treatment of this condition, and

WHEREAS, Alpha Kappa Alpha Sorority, Inc., is committed to addressing health and economic disparities and has given significant donations to Heifer International to assist in eradicating global poverty and has supported the American Cancer Society to positively impact cancer prevention, and

WHEREAS, Alpha Kappa Alpha Sorority, Inc., through International President Carolyn House Stewart, strongly supports voter empowerment through voter registration and education and the mobilization of voting communities, and

WHEREAS, Alpha Kappa Alpha Sorority, Inc., has encouraged its undergraduates to promote a ban on driving while using electronic devices through its "Distracted Driver Awareness Program," a signature program under the Sorority's health initiative, embraced under the new administration's theme of "Global Leadership through Timeless Service," and

WHEREAS, Alpha Kappa Alpha Sorority, Inc., promotes education to eradicate poverty and poor health and offers various afterschool workshops, seminars, health forums, and tutorials for underprivileged children and is an advocate for adequate funding for early childhood, secondary, and postsecondary education, and

WHEREAS, South Atlantic Regional Director Marsha Lewis Brown leads the membership of this great sisterhood in Florida, Georgia, and South Carolina, and

WHEREAS, members of Alpha Kappa Alpha Sorority, Inc., in this State contribute thousands of volunteer hours implementing service programs in their respective communities, NOW, THEREFORE,

*Be It Resolved by the Senate of the State of Florida:*

That we recognize Alpha Kappa Alpha Sorority, Inc., for its worldwide service.

—**SR 1812** was introduced, read and adopted by publication.

At the request of Senator Joyner—

By Senator Joyner—

**SR 1822**—A resolution acknowledging the remarkable contributions made to the people of this state by Delta Sigma Theta Sorority, Inc., and recognizing April 7-9, 2013, as the 19th annual "Delta Days at the Florida Capitol."

WHEREAS, Delta Sigma Theta Sorority, Inc., is a public service organization founded on January 13, 1913, by 22 illustrious collegiate women at Howard University in Washington, D.C., and

WHEREAS, nearly 6 weeks after its founding, the first public act of Delta Sigma Theta Sorority, Inc., was its participation in the Women's Suffrage Movement, demanding rights for women, particularly the right to vote, and

WHEREAS, Delta Sigma Theta Sorority, Inc., is a sisterhood of college-educated women committed to implementing the sorority's mission through its Five-Point Program Thrust: economic development, educational development, physical and mental health, political awareness and involvement, and international awareness and involvement, and

WHEREAS, Delta Sigma Theta Sorority, Inc., recently celebrated 100 years of commendable service and support to local communities, leading dialogue on public policy issues, supporting quality education, producing new projects to stimulate current and future economic growth, and improving the holistic well-being of minority populations internationally, and

WHEREAS, with more than 250,000 college-educated women initiated and more than 950 chapters worldwide, 52 of which are located in

Florida and the Bahamas, members of Delta Sigma Theta Sorority, Inc., are clearly focused and visible as corporate and civic leaders, productive public officials, acclaimed academicians, and activists in their own right, and

WHEREAS, for the past 18 years, the Florida chapters of Delta Sigma Theta Sorority, Inc., have conducted "Delta Days at the Florida Capitol," providing information to state legislators and members of the executive branch which is vital to developing public policy; hosting a reception for state legislators and members of the executive branch; and monitoring the progress of pending legislation related to significant public policy issues, and

WHEREAS, on April 7-9, 2013, under the leadership of Southern Regional Director Cheryl W. Turner and Southern Regional Representative Manica Pierrette, members of the 52 chapters of Delta Sigma Theta Sorority, Inc., now serving Florida and the Bahamas will converge in Tallahassee to participate in the 19th annual "Delta Days at the Florida Capitol," celebrating the theme "A Century in Service: Advocacy in Action," and

WHEREAS, the members of Delta Sigma Theta Sorority, Inc., will provide special recognition at the Seventh Annual Honorable Carrie P. Meek Servant Leadership Luncheon of the late and honorable Yvonne Kennedy, past national president of Delta Sigma Theta Sorority, Inc., and the late soror Mercedes R. Clarke, a former "Delta Days at the Florida Capitol" committee member, both of whom blazed trails in social advocacy and public service, and

WHEREAS, Senators Audrey Gibson and Arthenia L. Joyner and Representative Gwyndolen Clarke-Reed are esteemed members of Delta Sigma Theta Sorority, Inc., NOW, THEREFORE,

*Be It Resolved by the Senate of the State of Florida:*

That the Florida Senate commends the remarkable contributions made to the people of this state by Delta Sigma Theta Sorority, Inc., and recognizes April 7-9, 2013, as the 19th annual "Delta Days at the Florida Capitol."

—**SR 1822** was introduced, read and adopted by publication.

## REPORTS OF COMMITTEE RELATING TO EXECUTIVE BUSINESS

The Honorable Don Gaetz  
President, The Florida Senate

April 4, 2013

Dear President Gaetz:

The following executive appointments were referred to the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate:

	<i>For Term Ending</i>
<i>Office and Appointment</i>	
Board of Architecture and Interior Design	
Appointee: Ehrig, John P.	10/31/2015
Florida Board of Auctioneers	
Appointees: Dietrich, Hugh Fred III	10/31/2014
Shearer, Donald L.	10/31/2013
Barbers' Board	
Appointees: Gilbert, William B.	10/31/2014
Raines, Andrew J.	10/31/2013
Vaughn, Thomas "Tommy" E.	10/31/2014
Florida State Boxing Commission	
Appointees: DeSisto, Antonius "Tony" M.	09/30/2015
Kearney, Wayne W.	09/30/2015
Williams, Mark M.	09/30/2014
Florida Building Code Administrators and Inspectors Board	
Appointees: Bolduc, Timothy J.	10/31/2015
Carpenter, Dennis J.	10/31/2013
Gathright, Richard	10/31/2014

<i>Office and Appointment</i>	<i>For Term Ending</i>	<i>Office and Appointment</i>	<i>For Term Ending</i>
Holmes, Rex E.	10/31/2015		
McCormick, Robert S.	10/31/2013	Board of Funeral, Cemetery, and Consumer Services	
Florida Building Commission		Appointee: Mueller, Richard L.	09/30/2015
Appointees: Boyer, Robert G.	07/26/2015	Board of Professional Geologists	
Browdy, Richard S.	10/13/2015	Appointee: Bush, Louie G.	10/31/2014
Calleja, Oscar L.	02/03/2015	Board of Hearing Aid Specialists	
Flanagan, Kevin M.	01/30/2015	Appointees: Hollern, Thomas M.	10/31/2013
Frank, Charles L.	03/11/2017	Polhill, Leanne E.	10/31/2016
Gross, Jeffery	11/21/2015	Higher Educational Facilities Financing Authority	
Schiffer, Brad	08/11/2015	Appointee: Kirtley, William T.	01/17/2015
Schock, James R.	01/12/2015	Board of Trustees of South Lake County Hospital District	
Stone, Jeffrey B.	07/27/2015	Appointees: Ballesteros, Tomas J.	07/05/2015
Swope, Brian	05/01/2015	Binney, Curtis A.	07/05/2013
Florida Citrus Commission		Kesselring, Kasey C.	07/05/2013
Appointees: Clark, J. A. III	06/30/2013	Rountree, Paul B.	07/05/2013
Garavaglia, Michael J., Jr.	06/30/2013	Smith, Linda J.	07/05/2015
Haycock, Michael W.	05/31/2015	Florida Commission on Human Relations	
Hollingsworth, Vernon C. III	05/31/2015	Appointees: Fajardo-Garcia, Onelia	09/30/2013
Horrisberger, James S.	05/31/2015	Keller, Michael G.	09/30/2014
Hunt, G. Ellis, Jr.	06/30/2014	Long, Michell J.	09/30/2015
McKenna, Martin J.	06/30/2014	Singer, Gilbert M.	09/30/2014
Pena, Virginia S.	06/30/2014	Valle, Mario	09/30/2015
Taylor, Michael O.	06/30/2013	Commission for Independent Education	
Hillsborough County Civil Service Board		Appointees: Crocitto, Peter F., Jr.	06/30/2013
Appointees: Canasi, Simon M.	07/02/2015	Perez, Ernesto	06/30/2014
Perotti, Albert, Jr.	07/02/2015	Williams, Levi G., Jr.	06/30/2014
Strepina, Scott D.	07/02/2013		
Trichler, Ernie E. II	07/02/2015	Florida Inland Navigation District	
Florida Commission on Community Service		Appointees: Bowman, Aaron L.	01/09/2015
Appointees: Croteau, James M.	09/14/2015	Crowley, T. Spencer	01/09/2015
Landman Gonzalez, Linda	09/14/2014	Kavanagh, Gail	01/09/2015
Nappo, Frank L.	09/14/2015	Sansom, Jerry H.	01/09/2015
Quiggle, Justin	09/14/2013	Juvenile Welfare Board of Pinellas County	
Construction Industry Licensing Board		Appointees: Aungst, Brian J., Jr.	08/07/2014
Appointees: Boyette, Aaron L.	10/31/2015	Edmonds, Maria N.	08/11/2016
Cobb, Christopher M.	10/31/2013	Neri, Raymond H.	08/07/2016
Watts, Jacqueline A.	10/31/2016	Rouson, Angela	08/11/2014
Young, Kristin Beall	10/31/2016	Sewell, James D.	08/11/2014
Board of Cosmetology		Board of Massage Therapy	
Appointee: Wilhoite, Suzanne C.	10/31/2014	Appointees: Ford, Karen Goff	10/31/2015
Board of Trustees for the Florida School for the Deaf and the Blind		Tuttle, Robert F.	10/31/2016
Appointees: Weedon, Gerald W.	11/14/2014	Board of Medicine	
Zavelson, Thomas M.	11/07/2015	Appointees: Averhoff, Magdalena	10/31/2015
Education Practices Commission		El Sanadi, Nabil	10/31/2014
Appointees: Bondurant, Pamela M.	09/30/2016	Lage, Onelia G.	10/31/2014
Lee, David C.	08/18/2016	National Conference of Commissioners on Uniform State Laws	
Presha, Bernard Jerome	08/18/2016	Appointees: Braccialarghe, Randolph	06/05/2015
Schneider, Chad David	09/30/2014	Conti, Louis T. M.	06/05/2015
Strauss, Mark S.	09/30/2015	Weidner, Donald J.	06/05/2015
Thompson, David R.	08/18/2016	Board of Optometry	
Electrical Contractors' Licensing Board		Appointees: King, Christopher	10/31/2015
Appointees: Botknecht, David H.	10/31/2013	McNaughton, Rosa N.	10/31/2013
Chinchor, Timothy Z.	10/31/2014	Naberhaus, Terrance W.	10/31/2014
Sandefor, Paul W.	10/31/2013	Board of Osteopathic Medicine	
Board of Employee Leasing Companies		Appointees: Bellingar, Bridget	10/31/2015
Appointees: Arfons, David E.	10/31/2014	Burns, Ronald R.	10/31/2014
DiMascio, Suzette	10/31/2016	Rose, Joel B.	10/31/2014
Board of Professional Engineers		Board of Pharmacy	
Appointees: Bracken, William C.	10/31/2015	Appointee: Meshad, Gavin W.	10/31/2013
Fiorillo, Anthony Joseph	10/31/2014	Board of Pilot Commissioners	
Garcia de Quevedo, Nola A.	10/31/2014	Appointees: Fox, John P.	10/31/2015
Rambo-Roddenberry, Michelle D.	10/31/2013	Swindell, Robert C.	10/31/2014
Todd, Kenneth S., Jr.	10/31/2015		
Wohlfarth, Richard C.	10/31/2013		

<i>Office and Appointment</i>		<i>For Term Ending</i>
Board of Podiatric Medicine		
Appointees:	Evans, Chester A.	10/31/2016
	Morris, Robert Parker	10/31/2013
Tampa Port Authority		
Appointee:	Allman, Patrick H. III	02/06/2014
Florida Prepaid College Board		
Appointee:	O'Drobinak, Liana	06/30/2013
Board of Psychology		
Appointee:	Aufderheide, Dean H.	10/31/2016
Public Employees Relations Commission		
Appointee:	Poole, Donna Maggert	01/01/2014
Chair, Public Employees Relations Commission		
Appointee:	Hogan, Mike	01/01/2016
Florida Real Estate Appraisal Board		
Appointees:	Herndon, Joni L.	10/31/2013
	Ketcham, Clayton "Clay" Blane	10/31/2014
	Oreto, Evalyn F.	10/31/2015
	Pechillo, Roy A.	10/31/2015
	Rogers, Michael J.	10/31/2014
	Sante, Chris	10/31/2013
Florida Real Estate Commission		
Appointees:	Enzor, Roger P.	10/31/2015
	Hornsleth, Poul	10/31/2014
	Podolsky, William J. III	10/31/2014
Apalachee Regional Planning Council, Region 2		
Appointees:	Hammond, Michael L.	10/01/2013
	Layman, Kelly A.	10/01/2013
Tampa Bay Regional Planning Council, Region 8		
Appointees:	Nunez, Andres E., Jr.	10/01/2015
	Schock, Timothy E.	10/01/2013
	Todd, Barbara Sheen	10/01/2013
Southwest Florida Regional Planning Council, Region 9		
Appointees:	Holquist, Laura A.	10/01/2013
	Reynolds, Alan D.	10/01/2014
Treasure Coast Regional Planning Council, Region 10		
Appointee:	Sachs, Peter S.	10/01/2013
South Florida Regional Planning Council, Region 11		
Appointees:	Asseff, Patricia T.	10/01/2013
	Wallace, Paul R.	10/01/2015
Board of Professional Surveyors and Mappers		
Appointees:	Conkling, Frank James	10/31/2013
	Ehmke, Howard J. II	10/31/2016
	Fusco, Nickolas R.	10/31/2016
	Grubbs, O. George	10/31/2014
	Hill, Deborah J.	10/31/2015
	Krick, Gary B.	10/31/2014
	Mastronicola, Arthur A., Jr.	10/31/2013
	Petzold, Robin B.	10/31/2014
	Talbott, Patrick	10/31/2013
Board of Veterinary Medicine		
Appointee:	O'Neil, Robert E.	10/31/2014

The following executive appointment was referred to the Senate Committee on Education and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate:

<i>Office and Appointment</i>		<i>For Term Ending</i>
State Board of Education		
Appointee:	Bradshaw, Sara "Sally" S.	12/31/2013

The following executive appointments were referred to the Senate Committee on Environmental Preservation and Conservation and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate:

<i>Office and Appointment</i>		<i>For Term Ending</i>
Environmental Regulation Commission		
Appointees:	Bauer, Michael R.	07/01/2013
	Gelber, Adam R.	07/01/2015
	Joyce, Joseph C.	07/01/2015
	Montoya, Herbert William	07/01/2015
	Roth, Cari L.	07/01/2013
Fish and Wildlife Conservation Commission		
Appointee:	Roberts, Charles W. III	08/01/2016
Governing Board of the Suwannee River Water Management District		
Appointees:	Brown, Kevin W.	03/01/2015
	Cole, George M.	03/01/2015
	Curtis, Donald Raymond "Ray" III	03/01/2015
	Jones, Gary F.	03/01/2016
	Quincey, Donald "Don"	03/01/2016

The following executive appointments were referred to the Senate Committee on Transportation and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7 of the Rules of the Florida Senate:

<i>Office and Appointment</i>		<i>For Term Ending</i>
Tampa-Hillsborough County Expressway Authority		
Appointee:	Diaco, Stephen C.	07/01/2014
Florida Transportation Commission		
Appointees:	Ellington, Donald L.	09/30/2013
	Frazier, Susan Katherine	09/30/2015
	Kigel, Beth R.	09/30/2015
	Trumbull, Jay N.	09/30/2015

As required by Rule 12.7, the committees caused to be conducted an inquiry into the qualifications, experience, and general suitability of the above-named appointees for appointment to the office indicated. In aid of such inquiry, the committees held a public hearing at which members of the public were invited to attend and offer evidence concerning the qualifications, experience, and general suitability of the appointees. After due consideration of the findings of such inquiry and the evidence adduced at the public hearings, the Committee on Ethics and Elections and other referenced committees respectfully advise and recommend that in accordance with s. 114.05(1)(c), Florida Statutes:

(1) the executive appointments of the above-named appointees, to the office and for the term indicated, be confirmed by the Senate;

(2) Senate action on said appointments be taken prior to the adjournment of the 2013 Regular Session; and

(3) there is no necessity known to the committees for the deliberations on said appointments to be held in executive session.

Respectfully submitted,  
Jack Latvala, Chairman

On motion by Senator Latvala, the report was adopted and the Senate confirmed the appointments identified in the foregoing report of the committee to the offices and for the terms indicated in accordance with the recommendation of the committee:

The vote was:

Yeas—39

Mr. President	Brandes	Diaz de la Portilla
Abruzzo	Braynon	Evers
Altman	Bullard	Flores
Bean	Clemens	Galvano
Benacquisto	Dean	Garcia
Bradley	Detert	Gibson

Grimsley	Margolis	Simpson
Hays	Montford	Smith
Hukill	Negron	Sobel
Joyner	Richter	Soto
Latvala	Ring	Stargel
Lee	Sachs	Thompson
Legg	Simmons	Thrasher

Nays—None

**DISCLOSURE**

I, Maria Lorts Sachs, hereby disclose that on April 4, 2013, a measure will come before the Florida Senate which inures to the special gain or loss of my relative, Peter Sachs. The measure before the Florida Senate and the nature of my conflicting interest in the measure is as follows: my husband, Peter Sachs, is up for confirmation for appointment to the Treasure Coast Planning Council, Region 10.

*Senator Maria Lorts Sachs, 34th District*

**BILLS ON THIRD READING**

**SB 352**—A bill to be entitled An act relating to Lake-Sumter Community College; amending ss. 288.8175 and 1000.21, F.S.; renaming Lake-Sumter Community College as “Lake-Sumter State College”; providing an effective date.

—was read the third time by title.

Pending further consideration of **SB 352**, on motion by Senator Hays, by two-thirds vote **HB 209** was withdrawn from the Committees on Education; and Appropriations.

On motion by Senator Hays, by two-thirds vote—

**HB 209**—A bill to be entitled An act relating to Lake-Sumter Community College; amending ss. 288.8175 and 1000.21, F.S.; renaming Lake-Sumter Community College as “Lake-Sumter State College”; providing an effective date.

—a companion measure, was substituted for **SB 352** and read the second time by title.

On motion by Senator Hays, by two-thirds vote **HB 209** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

**CS for SB 322**—A bill to be entitled An act relating to eminent domain proceedings; amending s. 74.051, F.S.; revising the distribution of interest on certain deposits held by clerks of court in eminent domain proceedings; providing an effective date.

—was read the third time by title.

Pending further consideration of **CS for SB 322**, on motion by Senator Brandes, by two-thirds vote **CS for HB 179** was withdrawn from the Committees on Judiciary; Community Affairs; and Appropriations.

On motion by Senator Brandes, by two-thirds vote—

**CS for HB 179**—A bill to be entitled An act relating to eminent domain proceedings; amending s. 74.051, F.S.; revising the distribution of interest on certain deposits held by clerks of court in eminent domain proceedings; providing an effective date.

—a companion measure, was substituted for **CS for SB 322** and read the second time by title.

On motion by Senator Brandes, by two-thirds vote **CS for HB 179** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

**CS for CS for SB 328**—A bill to be entitled An act relating to public accountancy; amending s. 473.3065, F.S.; revising provisions for the distribution of scholarships under the Certified Public Accountant Education Minority Assistance Program; revising the annual maximum expenditures and frequency of distribution of moneys for the scholarships; amending s. 473.311, F.S.; clarifying provisions; creating s. 473.3125, F.S.; providing definitions; requiring the Board of Accountancy to adopt rules for peer review programs; authorizing the board to establish a peer review oversight committee; requiring certain licensees to be enrolled in a peer review program by a certain date; amending s. 473.313, F.S.; revising license delinquency dates; providing an effective date.

—as amended March 27 was read the third time by title.

On motion by Senator Latvala, **CS for CS for SB 328** as amended was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gibson	Sachs
Benacquisto	Grimsley	Simmons
Bradley	Hays	Simpson
Brandes	Hukill	Smith
Braynon	Joyner	Sobel
Clemens	Latvala	Soto
Dean	Lee	Stargel
Detert	Legg	Thompson
Diaz de la Portilla	Margolis	Thrasher
Evers	Montford	

Nays—None

**SB 244**—A bill to be entitled An act relating to water management districts; amending s. 373.042, F.S.; requiring water management districts to include certain reservations and water bodies in priority lists and schedules; providing for the adoption of certain reservations and minimum flows and levels by the Department of Environmental Protection; requiring water management districts to apply, without adopting by rule, the reservations, minimum flows and levels, and recovery and prevention strategies adopted by the department; amending s. 373.046, F.S.; authorizing water management districts to enter into interagency agreements for resource management activities under specified conditions; providing applicability; amending s. 373.171, F.S.; exempting cooperative funding programs from certain rulemaking requirements; amending s. 373.709, F.S., relating to regional water supply planning; removing a reference to the Southwest Florida Water Management District; requiring a regional water supply authority and the applicable water management district to jointly develop the water supply component of the regional water supply plan; providing an effective date.

—was read the third time by title.

On motion by Senator Dean, **SB 244** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

## INTRODUCTION OF FORMER SENATORS

President Gaetz introduced former Senator Charlie Justice who was present in the chamber.

**CS for CS for SB 278**—A bill to be entitled An act relating to the practice of optometry; amending s. 463.002, F.S.; revising and providing definitions; authorizing a certified optometrist to administer and prescribe ocular pharmaceutical agents; amending s. 463.005, F.S.; authorizing the Board of Optometry to adopt rules relating to the administration and prescription of ocular pharmaceutical agents; amending s. 463.0055, F.S.; requiring a certified optometrist to complete a board-approved course and examination on general and ocular pharmaceutical agents before administering or prescribing those agents; requiring the certified optometrist to provide proof to the department of successful completion of the course and examination; authorizing that successful completion of the course and examination be used to satisfy certain continuing education requirements; requiring the board to establish a formulary of topical ocular pharmaceutical agents that may be prescribed and administered by certified optometrists; deleting provisions with respect to a committee; establishing a statutory formulary of oral ocular pharmaceutical agents; prohibiting a certified optometrist from administering or prescribing certain controlled substances; amending s. 463.0057, F.S.; providing conditions under which the holder of an optometric faculty certificate may administer and prescribe oral ocular pharmaceutical agents; amending s. 463.006, F.S.; revising provisions relating to licensure and certification of optometrists, to conform; amending s. 463.0135, F.S.; authorizing a certified optometrist to perform certain eye examinations; requiring a transfer of care letter for the co-management of postoperative care; requiring patient consent; requiring the patient to be informed of the fees and provided an itemized

statement of services; amending s. 463.014, F.S.; prohibiting a licensed practitioner of optometry from providing any drug for the purpose of treating a systemic disease; specifying procedures that a certified optometrist is authorized to perform; creating s. 463.0141, F.S.; requiring the reporting of adverse incidents in the practice of optometry to the department according to specified procedures; providing a definition; requiring the department to review the conduct of licensed practitioners with respect to adverse incidents, to which disciplinary action may apply; amending s. 483.035, F.S.; requiring a clinical laboratory operated by a licensed practitioner of optometry to be licensed under Optometry Practice Act; amending s. 483.041, F.S.; revising the definition of the term “licensed practitioner” to include certified optometrists; amending s. 483.181, F.S.; providing for an optometrist to accept a human specimen for examination, under certain conditions; amending s. 893.02, F.S.; redefining the term “practitioner” to include certified optometrists; amending s. 893.05, F.S.; prohibiting a certified optometrist from administering or prescribing certain controlled substances; amending s. 893.055, F.S.; revising the term “health care practitioner” to include certified optometrists for purposes of the prescription drug monitoring program; amending ss. 463.009 and 641.31, F.S.; conforming cross-references; providing an effective date.

—was read the third time by title.

Pending further consideration of **CS for CS for SB 278**, on motion by Senator Richter, by two-thirds vote **CS for CS for HB 239** was withdrawn from the Committees on Health Policy; Appropriations Subcommittee on Health and Human Services; and Appropriations.

On motion by Senator Richter, by two-thirds vote—

**CS for CS for HB 239**—A bill to be entitled An act relating to the practice of optometry; amending s. 463.002, F.S.; revising and providing definitions; authorizing a certified optometrist to administer and prescribe ocular pharmaceutical agents; amending s. 463.005, F.S.; authorizing the Board of Optometry to adopt rules relating to the administration and prescription of ocular pharmaceutical agents; amending s. 463.0055, F.S.; requiring a certified optometrist to complete a board-approved course and examination on general and ocular pharmaceutical agents before administering or prescribing those agents; requiring the certified optometrist to provide proof to the department of successful completion of the course and examination; authorizing that successful completion of the course and examination be used to satisfy certain continuing education requirements; requiring the board to establish a formulary of topical ocular pharmaceutical agents that may be prescribed and administered by certified optometrists; deleting provisions with respect to a committee; establishing a statutory formulary of oral ocular pharmaceutical agents; prohibiting a certified optometrist from administering or prescribing certain controlled substances; amending s. 463.0057, F.S.; providing conditions under which the holder of an optometric faculty certificate may administer and prescribe oral ocular pharmaceutical agents; amending s. 463.006, F.S.; revising provisions relating to licensure and certification of optometrists, to conform; amending s. 463.0135, F.S.; authorizing a certified optometrist to perform certain eye examinations; requiring a transfer of care letter for the co-management of postoperative care; requiring patient consent; requiring the patient to be informed of the fees and provided an itemized statement of services; amending s. 463.014, F.S.; prohibiting a licensed practitioner of optometry from providing any drug for the purpose of treating a systemic disease; specifying procedures that a certified optometrist is authorized to perform; creating s. 463.0141, F.S.; requiring the reporting of adverse incidents in the practice of optometry to the department according to specified procedures; providing a definition; requiring the department to review the conduct of licensed practitioners with respect to adverse incidents, to which disciplinary action may apply; amending s. 483.035, F.S.; requiring a clinical laboratory operated by a licensed practitioner of optometry to be licensed under Optometry Practice Act; amending s. 483.041, F.S.; revising the definition of the term “licensed practitioner” to include certified optometrists; amending s. 483.181, F.S.; providing for an optometrist to accept a human specimen for examination, under certain conditions; amending s. 893.02, F.S.; redefining the term “practitioner” to include certified optometrists; amending s. 893.05, F.S.; prohibiting a certified optometrist from administering or prescribing certain controlled substances; amending s. 893.055, F.S.; revising the term “health care practitioner” to include certified optometrists for purposes of the prescription drug monitoring program; amending ss. 463.009 and 641.31, F.S.; conforming cross-references; providing an effective date.



—a companion measure, was substituted for **CS for CS for SB 278** and read the second time by title.

On motion by Senator Richter, by two-thirds vote **CS for CS for HB 239** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

## INTRODUCTION OF FORMER SENATORS

Senator Richter introduced former Senator and President Pro Tempore Michael S. “Mike” Bennett who was present in the chamber.

**SB 558**—A bill to be entitled An act relating to letters of credit issued by a Federal Home Loan Bank; amending s. 280.13, F.S.; revising circumstances under which letters of credit issued by a Federal Home Loan Bank are eligible as collateral; providing an effective date.

—was read the third time by title.

On motion by Senator Detert, **SB 558** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

**CS for SB 298**—A bill to be entitled An act relating to the Department of Citrus; amending s. 601.152, F.S.; deleting an obsolete reference; amending ss. 601.9918 and 601.992, F.S.; reverting certain references to the Department of Citrus that were changed to references to the Department of Agriculture and Consumer Services by chapter 2012-182, Laws of Florida; providing for retroactive application; requiring the repeal of certain rules adopted by the Department of Agriculture and Consumer Services; providing an effective date.

—was read the third time by title.

On motion by Senator Brandes, **CS for SB 298** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Galvano	Negron
Bean	Garcia	Richter
Benacquisto	Gardiner	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Joyner	Sobel
Dean	Latvala	Soto
Detert	Lee	Stargel
Diaz de la Portilla	Legg	Thompson

Nays—None

Vote after roll call:

Yea—Thrasher

**CS for SB 592**—A bill to be entitled An act relating to garnishment; amending s. 77.041, F.S.; revising “Notice to Defendant” provided by the clerk of court in a garnishment proceeding; providing that a defendant in a garnishment proceeding may provide notice of a garnishment exemption and request for hearing to the plaintiff’s or the garnishee’s attorney; extending the time allowed for the plaintiff or the plaintiff’s attorney to respond to the defendant’s claim of exemption and request for hearing; providing response procedures of the clerk of court and the plaintiff’s attorney when the plaintiff’s attorney is served with a notice of garnishment exemption and request for hearing; requiring the defendant to certify under oath and penalty of perjury that he or she provided notice of the garnishment exemption claim and request for hearing to the plaintiff, the garnishee, or their respective attorneys in order to obtain a hearing; repealing s. 222.12, F.S., relating to proceedings for exemption; providing an effective date.

—was read the third time by title.

Senator Galvano moved the following amendment which was adopted by two-thirds vote:

**Amendment 1 (928144) (with title amendment)**—Before line 25 insert:

Section 1. Section 77.04, Florida Statutes, is amended to read:

77.04 Writ; form.—The writ shall require the garnishee to serve an answer ~~to it~~ on the plaintiff within 20 days after service of the writ stating whether the garnishee ~~he or she~~ is indebted to the defendant at the time of the answer, or was indebted at the time of service of the writ, plus up to ~~sufficient time not to exceed~~ 1 business day for the garnishee to act expeditiously on the writ, or at any time between such times; ~~and~~ in what sum and what tangible or intangible personal property of defendant the garnishee has in his or her possession or control at the time of his or her answer, or had at the time of the service of the writ, or at any time between such times; and whether the garnishee knows of any other person indebted to defendant, or who may have any of the property of defendant in his or her possession or control. The writ shall state the amount named in plaintiff’s motion. *If the garnishee is a business entity, an authorized employee or agent of the entity may execute, file, and serve the answer on behalf of the entity.*

And the title is amended as follows:

Delete line 2 and insert: An act relating to garnishment; amending s. 77.04, F.S.; authorizing an employee or agent of a business entity to answer a writ of garnishment on behalf of the entity; amending s. 77.041,

On motion by Senator Galvano, **CS for SB 592** as amended was passed, ordered engrossed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

**SB 628**—A bill to be entitled An act relating to driver licenses; amending s. 322.142, F.S.; authorizing a justice, judge, or designated employee to access reproductions of driver license images as part of the official work of a court; revising and clarifying provisions; providing an effective date.

—was read the third time by title.

On motion by Senator Joyner, **SB 628** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

**CS for CS for SB 492**—A bill to be entitled An act relating to estates; amending s. 198.13, F.S.; providing for retroactive application; deleting a provision that provides that certain information relating to a state death tax credit or a generation-skipping transfer credit is not applicable to estates of decedents dying after a specific date; amending s. 717.101, F.S.; providing a definition; amending s. 717.112, F.S.; providing an exception to property held by agents and fiduciaries; creating s. 717.1125, F.S.; providing that property held by fiduciaries under trust instruments is presumed unclaimed under certain circumstances; amending s. 731.110, F.S.; specifying that a certain subsection does not require a caveator to be served with formal notice of its own petition for administration; amending s. 732.703, F.S.; revising language regarding instruments governed by the laws of a different state; creating s. 732.806, F.S.; providing provisions relating to gifts to lawyers and other disqualified persons; amending s. 732.901, F.S.; requiring the custodian of a will to supply the testator's date of death or the last four digits of the testator's social security number upon deposit; providing that an original will submitted with a pleading is considered to be deposited with the clerk; requiring the clerk to retain and preserve the original will in its original form for a certain period of time; amending s. 736.0103, F.S.; providing definitions; amending s. 736.0202, F.S.; providing for in rem jurisdiction and personal jurisdiction over a trustee, beneficiary, or other person; deleting a provision referring to other methods of obtaining

jurisdiction; creating s. 736.02025, F.S.; providing provisions for methods of service of process in actions involving trusts and trust beneficiaries; repealing s. 736.0205, F.S., relating to trust proceedings and the dismissal of matters relating to foreign trusts; repealing s. 736.0807(4), F.S., relating to delegation of powers by a trustee; amending s. 736.0813, F.S.; clarifying the duties of a trustee to provide a trust accounting; amending ss. 607.0802, 731.201, 733.212, 736.0802, 736.08125, and 738.104, F.S.; conforming cross-references; providing an effective date.

—was read the third time by title.

On motion by Senator Hukill, **CS for CS for SB 492** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

**SB 230**—A bill to be entitled An act relating to flag etiquette; creating s. 256.015, F.S.; requiring that the Governor adopt a protocol on flag display; requiring the protocol to have guidelines for proper flag display and for lowering the state flag to half-staff on certain occasions; authorizing the Governor to adopt, repeal, or modify any rule or custom as the Governor deems appropriate which pertains to the display of the state flag; providing an effective date.

—was read the third time by title.

On motion by Senator Ring, **SB 230** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

**SB 954**—A bill to be entitled An act relating to the Technological Research and Development Authority; amending s. 320.08058, F.S.; deleting provisions for distribution by the Department of Highway Safety and Motor Vehicles to the authority of Challenger/Columbia license plate user fees; conforming provisions; amending s. 379.2202, F.S.; deleting provisions for distribution by the Fish and Wildlife Conservation Commission to the authority of saltwater license and permit fees;

amending s. 112.3148, F.S., relating to giving gifts to certain officers or candidates for office and to procurement employees; deleting reference to the authority; providing contingent effective dates.

—was read the third time by title.

On motion by Senator Gardiner, **SB 954** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Galvano	Negron
Abruzzo	Garcia	Richter
Bean	Gardiner	Ring
Benacquisto	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Joyner	Sobel
Dean	Latvala	Soto
Detert	Lee	Stargel
Diaz de la Portilla	Legg	Thompson
Evers	Margolis	Thrasher
Flores	Montford	

Nays—None

Vote after roll call:

Yea—Bradley

## DISCLOSURE

Pursuant to Senate Rule 1.39, I am disclosing that certain provisions in **SB 954** provide a special private gain or loss to myself; the nature of the interest and the persons or entities involved are specified below:

I am employed by the Astronauts Memorial Foundation. **SB 954**, if passed, will result in the Astronauts Memorial Foundation receiving the full collection of annual fees resulting from the sale of Challenger/Columbia license plates, which will inure a special private gain or loss to both the Foundation and myself.

As established by Senate Rule, I may not vote on this matter.

*Senator Thad Altman, 16th District*

**CS for CS for SB 166**—A bill to be entitled An act relating to annuities; amending s. 627.4554, F.S.; providing that recommendations relating to annuities made by an insurer or its agents apply to all consumers not just to senior consumers; revising and providing definitions; providing exemptions; revising the duties of insurers and agents; providing that recommendations must be based on consumer suitability information; revising the information relating to annuities that must be provided by the insurer or its agent to the consumer; revising the requirements for monitoring contractors that are providing certain functions for the insurer relating to the insurer's system for supervising recommendations; revising provisions relating to the relationship between this act and the federal Financial Industry Regulatory Authority; prohibiting specified charges for annuities issued to persons 65 years of age or older; authorizing the Department of Financial Services and the Financial Services Commission to adopt rules; amending s. 626.99, F.S.; increasing the period of time that an unconditional refund must remain available with respect to certain annuity contracts; making such unconditional refunds available to all prospective annuity contract buyers without regard to the buyer's age; revising requirements for cover pages of annuity contracts; providing an effective date.

—was read the third time by title.

On motion by Senator Richter, **CS for CS for SB 166** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

**CS for CS for SB 120**—A bill to be entitled An act relating to condominiums; amending s. 718.104, F.S.; allowing condominium units to come into existence regardless of requirements or restrictions in a declaration; amending s. 718.105, F.S.; extending the amount of time that a clerk may hold a sum of money before notifying the registered agent of an association that the sum is still available and the purpose for which it was deposited; amending s. 718.110, F.S.; changing the requirements relating to the circumstances under which a declaration of condominium or other documents are effective to create a condominium; making technical changes; amending s. 718.111, F.S.; revising the conditions under which unit owners may vote on issues related to the preparation of financial reports; making technical changes; amending s. 718.112, F.S.; revising the conditions under which a developer may vote to waive or reduce the funding of reserves; making technical changes; amending s. 718.114, F.S.; revising the conditions under which a developer may acquire leaseholds, memberships, or other possessory or use interests; making technical changes; amending s. 718.301, F.S.; revising the conditions under which unit owners other than the developer are entitled to elect at least a majority of the members of a board of administration; revising requirements related to the documents that the developer must deliver to the association; making technical changes; amending s. 718.403, F.S.; revising the conditions under which a developer may amend a declaration of condominium governing a phase condominium; providing for an extension of the 7-year period for the completion of a phase; providing requirements for the adoption of an amendment; providing that an amendment adopted pursuant to this section is exempt from other requirements of law; providing an effective date.

—was read the third time by title.

On motion by Senator Latvala, **CS for CS for SB 120** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

**SB 452**—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 765.51551, F.S., which provides an exemption from public records requirements for personal identifying information of a donor held in the Joshua Abbott Organ and Tissue Registry; saving the exemption from repeal under the Open Government Sunset Review Act; removing the scheduled repeal of the exemption; providing an effective date.

—was read the third time by title.

On motion by Senator Bean, **SB 452** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

**CS for SB 60**—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; providing an exemption from public records requirements for certain identifying information of specific current and former personnel of the Department of Health and the spouses and children of such personnel, under specified circumstances; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

—was read the third time by title.

On motion by Senator Hays, **CS for SB 60** was passed by the required constitutional two-thirds vote of the members present and voting and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

**CS for SB 530**—A bill to be entitled An act relating to dispute resolution; amending s. 682.01, F.S.; revising the short title of the “Florida Arbitration Code” to the “Revised Florida Arbitration Code”; creating s. 682.011, F.S.; providing definitions; creating s. 682.012, F.S.; specifying how a person gives notice to another person and how a person receives notice; creating s. 682.013, F.S.; specifying the applicability of the revised code; creating s. 682.014, F.S.; providing that an agreement may

waive or vary the effect of statutory arbitration provisions; providing exceptions; creating s. 682.015, F.S.; providing for petitions for judicial relief; providing for service of notice of an initial petition for such relief; amending s. 682.02, F.S.; revising provisions relating to the making of arbitration agreements; requiring a court to decide whether an agreement to arbitrate exists or a controversy is subject to an agreement to arbitrate; providing for determination of specified issues by an arbitrator; providing for continuation of an arbitration proceeding pending resolution of certain issues by a court; revising provisions relating to applicability of provisions to certain interlocal agreements; amending s. 682.03, F.S.; revising provisions relating to proceedings to compel and to stay arbitration; creating s. 682.031, F.S.; providing for a court to order provisional remedies before an arbitrator is appointed and is authorized and able to act; providing for orders for provisional remedies by an arbitrator; providing that a party does not waive a right of arbitration by seeking provisional remedies in court; creating s. 682.032, F.S.; providing for initiation of arbitration; providing that a person waives any objection to lack of or insufficiency of notice by appearing at the arbitration hearing; providing an exception; creating s. 682.033, F.S.; providing for consolidation of separate arbitration proceedings as to all or some of the claims in certain circumstances; prohibiting consolidation if the agreement prohibits consolidation; amending s. 682.04, F.S.; revising provisions relating to appointment of an arbitrator; prohibiting an individual who has an interest in the outcome of an arbitration from serving as a neutral arbitrator; creating s. 682.041, F.S.; requiring certain disclosures of interests and relationships by a person before accepting appointment as an arbitrator; providing a continuing obligation to make such disclosures; providing for objections to an arbitrator based on information disclosed; providing for vacation of an award if an arbitrator failed to disclose a fact as required; providing that an arbitrator appointed as a neutral arbitrator who does not disclose certain interests or relationships is presumed to act with partiality for specified purposes; requiring parties to substantially comply with agreed-to procedures of an arbitration organization or any other procedures for challenges to arbitrators before an award is made in order to seek vacation of an award on specified grounds; amending s. 682.05, F.S.; requiring that if there is more than one arbitrator, the powers of an arbitrator must be exercised by a majority of the arbitrators; requiring all arbitrators to conduct the arbitration hearing; creating s. 682.051, F.S.; providing immunity from civil liability for an arbitrator or an arbitration organization acting in that capacity; providing that this immunity is supplemental to any immunity under other law; providing that failure to make a required disclosure does not remove immunity; providing that an arbitrator or representative of an arbitration organization is not competent to testify and may not be required to produce records concerning the arbitration; providing exceptions; providing for awarding an arbitrator, arbitration organization, or representative of an arbitration organization with reasonable attorney fees and expenses of litigation under certain circumstances; amending s. 682.06, F.S.; revising provisions relating to the conduct of arbitration hearings; providing for summary disposition, notice of hearings, adjournment, and rights of a party to the arbitration proceeding; requiring appointment of a replacement arbitrator in certain circumstances; amending s. 682.07, F.S.; providing that a party to an arbitration proceeding may be represented by an attorney; amending s. 682.08, F.S.; revising provisions relating to the issuance, service, and enforcement of subpoenas; revising provisions relating to depositions; authorizing an arbitrator to permit discovery in certain circumstances; authorizing an arbitrator to order compliance with discovery; authorizing protective orders by an arbitrator; providing for applicability of laws compelling a person under subpoena to testify and all fees for attending a judicial proceeding, a deposition, or a discovery proceeding as a witness; providing for court enforcement of a subpoena or discovery-related order; providing for witness fees; creating s. 682.081, F.S.; providing for judicial enforcement of a preaward ruling by an arbitrator in certain circumstances; providing exceptions; amending s. 682.09, F.S.; revising provisions relating to the record needed for an award; revising provisions relating to the time within which an award must be made; amending s. 682.10, F.S.; revising provisions relating to requirements for a motion to modify or correct an award; amending s. 682.11, F.S.; revising provisions relating to fees and expenses of arbitration; authorizing punitive damages and other exemplary relief and remedies; amending s. 682.12, F.S.; revising provisions relating to confirmation of an award; amending s. 682.13, F.S.; revising provisions relating to grounds for vacating an award; revising provisions relating to a motion for vacating an award; providing for a rehearing in certain circumstances; amending s. 682.14, F.S.; revising provisions relating to the time for moving to modify or correct an award; deleting references to the term “umpire”; revising a

provision concerning confirmation of awards; amending s. 682.15, F.S.; revising provisions relating to a court order confirming, vacating without directing a rehearing, modifying, or correcting an award; providing for award of costs and attorney fees in certain circumstances; repealing s. 682.16, F.S., relating to judgment roll and docketing of certain orders; repealing s. 682.17, F.S., relating to application to court; repealing s. 682.18, F.S., relating to the definition of the term "court" and jurisdiction; creating s. 682.181, F.S.; providing for jurisdiction relating to the revised code; amending s. 682.19, F.S.; revising provisions relating to venue for actions relating to the code; amending s. 682.20, F.S.; providing that an appeal may be taken from an order denying confirmation of an award unless the court has entered an order under specified provisions; providing that all other orders denying confirmation of an award are final orders; repealing s. 682.21, F.S., relating to the previous code not applying retroactively; repealing s. 682.22, F.S., relating to conflict of laws; creating s. 682.23, F.S.; specifying the relationship of the code to the Electronic Signatures in Global and National Commerce Act; providing for applicability; creating s. 682.25, F.S.; providing that the revised code does not apply to any dispute involving child custody, visitation, or child support; amending s. 731.401, F.S.; providing for application of the act to an arbitration provision in a will or trust; amending ss. 440.1926 and 489.1402, F.S.; conforming cross-references; providing an effective date.

—was read the third time by title.

Senator Latvala moved the following amendment:

**Amendment 1 (614256)**—Between lines 462 and 463 insert:

*(4) Nothing in this section may be construed to affect commencing, maintaining, or certifying a claim or defense on behalf of a class or as a class action.*

Senator Latvala moved the following substitute amendment which was adopted by two-thirds vote:

**Amendment 2 (888408) (with title amendment)**—Delete line 462 and insert: *consolidation. Nothing in this section is intended or shall be construed to affect commencing, maintaining, or certifying a claim or defense on behalf of a class or as a class action.*

And the title is amended as follows:

Delete line 41 and insert: *consolidation; prescribing limitations of the section; amending s. 682.04, F.S.; revising*

On motion by Senator Thrasher, **CS for SB 530** as amended was passed, ordered engrossed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Montford
Altman	Galvano	Negron
Bean	Garcia	Richter
Benacquisto	Gardiner	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Smith
Clemens	Joyner	Sobel
Dean	Latvala	Soto
Detert	Lee	Stargel
Diaz de la Portilla	Legg	Thompson
Evers	Margolis	Thrasher

Nays—None

## DISCLOSURE

Pursuant to Senate Rule 1.39, I am disclosing that certain provisions in **CS for SB 530**, Dispute Resolution, and all filed amendments provide a special private gain or loss to a principal by whom I or my spouse, parent, or child is retained or employed. The nature of the interest and the persons or entities involved are specified below:

While I do not believe I have a conflict, out of an abundance of caution, I hereby disclose that my spouse may represent one or more clients that may have an interest in this bill and/or amendments to this bill. My spouse is an attorney and bound by the confidentiality rules of the Florida Bar, pursuant to Rule 4-1.6 of the Rules Regulating The Florida Bar. Pursuant to a voluntary agreement between my spouse and myself, she does not discuss client positions with me, nor does she advocate to me regarding client positions.

As permitted by Senate Rule, I may vote on this matter.

*Senator Greg Evers, 2nd District*

**CS for CS for SB 134**—A bill to be entitled An act relating to meetings of district school boards; amending s. 1001.372, F.S.; requiring district school boards to convene at least one regular meeting each quarter during a school year during the evening hours and to create written criteria for convening such a meeting; providing that a district school board is deemed to be in compliance under certain circumstances; deleting a provision regarding a special meeting; providing an effective date.

—as amended March 27 was read the third time by title.

On motion by Senator Ring, **CS for CS for SB 134** as amended was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Evers	Margolis
Abruzzo	Flores	Montford
Altman	Galvano	Negron
Bean	Garcia	Richter
Benacquisto	Gardiner	Ring
Bradley	Gibson	Sachs
Brandes	Grimsley	Simmons
Braynon	Hays	Simpson
Bullard	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher

Nays—1

Smith

**CS for SB 284**—A bill to be entitled An act relating to school emergencies; amending s. 1006.07, F.S.; requiring district school board policies to list the emergency response agencies that are responsible for notifying the school district of emergencies; amending s. 1002.20, F.S.; authorizing a public school to purchase and maintain a supply of epinephrine auto-injectors; requiring that the school district adopt a protocol developed by a licensed physician for the administration of epinephrine auto-injectors for emergency use when a student is having an anaphylactic reaction; providing that the supply of epinephrine auto-injectors may be provided to and used by a student authorized to self-administer epinephrine by auto-injector or trained school personnel; providing that a school district and its employees and agents, including a physician providing a standing protocol for school epinephrine auto-injectors, are not liable for an injury to a student arising from the use of an epinephrine auto-injector under certain circumstances; amending s. 1002.42, F.S.; requiring the emergency response agencies to notify private schools in the school district of emergencies under certain circumstances; authorizing a private school to purchase and maintain a supply of epinephrine auto-injectors; requiring that the private school adopt a protocol developed by a licensed physician for the administration of epinephrine auto-injectors for emergency use when a student is having an anaphylactic reaction; providing that the supply of epinephrine auto-injectors may be provided to and used by a student authorized to self-administer epinephrine by auto-injector or trained school personnel; providing that a private school and its employees and agents, including a physician providing a standing protocol for school epinephrine auto-injectors, are not liable for an injury to a student arising from the use of an

epinephrine auto-injector under certain circumstances; providing an effective date.

—was read the third time by title.

On motion by Senator Negron, **CS for SB 284** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

**CS for SB 294**—A bill to be entitled An act relating to controlled substances; amending s. 893.03, F.S.; adding to the list of Schedule I controlled substances certain specified materials, compounds, mixtures, or preparations that contain hallucinogenic substances, or any of their salts, isomers, and salts of isomers, if the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation; amending s. 893.0355, F.S.; revising provisions relating to rulemaking; reenacting and amending s. 893.13, F.S.; providing reduced penalties for possession of 3 grams or less of specified controlled substances; reenacting to incorporate the amendments made to s. 893.03, F.S., in references thereto; amending s. 893.135, F.S.; providing criminal penalties for a person who knowingly sells, purchases, manufactures, delivers, or brings into this state, or who is knowingly in actual or constructive possession of, a specified quantity of specified controlled substances; reenacting s. 921.0022(3)(b)-(e), F.S., relating to prohibited acts involving controlled substances and the Criminal Punishment Code, respectively, to incorporate the amendments made to s. 893.03, F.S., in references thereto; providing an effective date.

—was read the third time by title.

On motion by Senator Bradley, **CS for SB 294** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

**SB 326**—A bill to be entitled An act relating to the powers and duties of the Department of Environmental Protection; amending s. 253.7827, F.S.; removing an obsolete reference for purposes of calculating the re-

imbursement for transportation and utility crossings of greenways lands in Marion County; repealing s. 253.783(2), F.S., relating to additional powers and duties of the department to dispose of surplus lands that were for the construction, operation, or promotion of a canal across the peninsula of the state and refund payments to counties; providing an effective date.

—was read the third time by title.

On motion by Senator Hays, **SB 326** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

**SB 338**—A bill to be entitled An act relating to theft of utility services; amending s. 812.14, F.S.; providing additional criminal penalties for utility services wrongfully taken; providing that the person who unlawfully took utility services is liable to the utility for an increased civil penalty subject to the amount of the utility services unlawfully obtained; providing an effective date.

—was read the third time by title.

On motion by Senator Simpson, **SB 338** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Flores	Montford
Abruzzo	Galvano	Negron
Altman	Garcia	Richter
Bean	Gardiner	Ring
Benacquisto	Gibson	Sachs
Bradley	Grimsley	Simmons
Brandes	Hays	Simpson
Braynon	Hukill	Smith
Bullard	Joyner	Sobel
Clemens	Latvala	Soto
Dean	Lee	Stargel
Diaz de la Portilla	Legg	Thompson
Evers	Margolis	Thrasher

Nays—None

Vote after roll call:

Yea—Detert

**SB 342**—A bill to be entitled An act relating to the rental of home-stead property; amending s. 196.061, F.S.; revising criteria under which rental of such property is allowed for tax exemption purposes and not considered abandoned; providing an effective date.

—was read the third time by title.

On motion by Senator Thrasher, **SB 342** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Sobel
Clemens	Joyner	Soto
Dean	Latvala	Stargel
Detert	Lee	Thompson
Diaz de la Portilla	Legg	Thrasher
Evers	Montford	

Nays—None

Vote after roll call:

Yea—Bradley

**CS for SB 354**—A bill to be entitled An act relating to ad valorem tax exemptions; amending s. 196.199, F.S.; providing that certain leasehold interests and improvements to land owned by the United States, a branch of the United States Armed Forces, or any agency or quasi-governmental agency of the United States are exempt from ad valorem taxation under specified circumstances; providing that such leasehold interests and improvements are entitled to an exemption from ad valorem taxation without an application being filed for the exemption or the property appraiser approving the exemption; providing for retro-active application; providing an effective date.

—was read the third time by title.

Senator Thrasher moved the following amendment which was adopted by two-thirds vote:

**Amendment 1 (607408)**—Delete lines 48-50 and insert: *filed or approved by the property appraiser.*

*a. This subparagraph applies only to leasehold interests and improvements used to provide housing for persons on active duty in the military or their dependents. If portions of the property are used to provide housing to other persons, the exempt portion of the property is equal to a fraction, the numerator of which is the number of residential units on the property that are used by persons on active duty in the military or their dependents and the denominator of which is the number of residential units on the property.*

*b. This subparagraph does not apply to a transient public lodging establishment as that term is defined in s. 509.013.*

On motion by Senator Thrasher, **CS for SB 354** as amended was passed, ordered engrossed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Diaz de la Portilla	Lee
Abruzzo	Evers	Legg
Altman	Flores	Margolis
Bean	Galvano	Montford
Benacquisto	Garcia	Negron
Bradley	Gardiner	Richter
Brandes	Gibson	Ring
Braynon	Grimsley	Sachs
Bullard	Hays	Simmons
Clemens	Hukill	Simpson
Dean	Joyner	Smith
Detert	Latvala	Sobel

Soto  
Stargel

Thompson  
Thrasher

Nays—None

**CS for SB 364**—A bill to be entitled An act relating to consumptive use permits for development of alternative water supplies; amending s. 373.236, F.S.; revising conditions for issuance of permits; providing for the issuance, extension, and review of permits approved on or after a certain date; providing for applicability; providing an effective date.

—was read the third time by title.

On motion by Senator Hays, **CS for SB 364** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

**CS for CS for SB 372**—A bill to be entitled An act relating to vehicle permits for the transportation of alcoholic beverages; amending s. 561.57, F.S.; authorizing a licensed vendor to transport alcoholic beverages from a distributor's place of business in vehicles owned or leased by any person who has been disclosed on a license application filed by the vendor and approved by the Division of Alcoholic Beverages and Tobacco of the Department and Business and Professional Regulation; revising permit requirements for such vehicles; providing for cancellation of vehicle permits; authorizing the inspection and search of such vehicles without a search warrant; providing requirements for the use and storage of vehicle permits; amending s. 562.07, F.S.; revising an exception to the illegal transportation of beverages; providing an effective date.

—was read the third time by title.

On motion by Senator Latvala, **CS for CS for SB 372** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

**CS for SB 422**—A bill to be entitled An act relating to cancer treatment; providing a short title; creating ss. 627.42391 and 641.313, F.S.; providing definitions; requiring that an individual or group insurance policy or a health maintenance contract that provides coverage for cancer treatment medications provide coverage for orally administered cancer treatment medications on a basis no less favorable than that required by the policy or contract for intravenously administered or injected cancer treatment medications; prohibiting insurers, health maintenance organizations, and certain other entities from engaging in specified actions to avoid compliance with this act; amending s. 627.6515, F.S.; adding a cross-reference to conform to changes made by the act; providing an effective date.

—as amended March 27 was read the third time by title.

On motion by Senator Benacquisto, **CS for SB 422** as amended was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

## CO-INTRODUCERS

All Senators voting yea, not previously shown as co-introducers, were recorded as co-introducers of **CS for SB 422**.

**CS for SB 434**—A bill to be entitled An act relating to Brevard Community College; amending ss. 288.8175 and 1000.21, F.S.; renaming Brevard Community College as “Eastern Florida State College”; providing an effective date.

—was read the third time by title.

On motion by Senator Altman, **CS for SB 434** was passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Diaz de la Portilla	Margolis
Abruzzo	Evers	Montford
Altman	Flores	Negron
Bean	Galvano	Richter
Benacquisto	Garcia	Ring
Bradley	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Soto
Clemens	Joyner	Stargel
Dean	Latvala	Thompson
Detert	Legg	Thrasher

Nays—None

Vote after roll call:

Yea—Sobel

**SB 746**—A bill to be entitled An act relating to terms of courts; repealing s. 25.051, F.S., relating to regular terms of the Supreme Court; repealing s. 26.21, F.S., relating to terms of the circuit courts; repealing s. 26.22, F.S., relating to terms of the First Judicial Circuit; repealing s. 26.23, F.S., relating to terms of the Second Judicial Circuit; repealing s. 26.24, F.S., relating to terms of the Third Judicial Circuit; repealing s. 26.25, F.S., relating to terms of the Fourth Judicial Circuit; repealing s. 26.26, F.S., relating to terms of the Fifth Judicial Circuit; repealing s. 26.27, F.S., relating to terms of the Sixth Judicial Circuit; repealing s. 26.28, F.S., relating to terms of the Seventh Judicial Circuit; repealing s. 26.29, F.S., relating to terms of the Eighth Judicial Circuit; repealing s. 26.30, F.S., relating to terms of the Ninth Judicial Circuit; repealing s. 26.31, F.S., relating to terms of the Tenth Judicial Circuit; repealing s. 26.32, F.S., relating to terms of the Eleventh Judicial Circuit; repealing s. 26.33, F.S., relating to terms of the Twelfth Judicial Circuit; repealing s. 26.34, F.S., relating to terms of the Thirteenth Judicial Circuit; repealing s. 26.35, F.S., relating to terms of the Fourteenth Judicial Circuit; repealing s. 26.36, F.S., relating to terms of the Fifteenth Judicial Circuit; repealing s. 26.361, F.S., relating to terms of the Sixteenth Judicial Circuit; repealing s. 26.362, F.S., relating to terms of the Seventeenth Judicial Circuit; repealing s. 26.363, F.S., relating to terms of the Eighteenth Judicial Circuit; repealing s. 26.364, F.S., relating to terms of the Nineteenth Judicial Circuit; repealing s. 26.365, F.S., relating to terms of the Twentieth Judicial Circuit; repealing s. 26.37, F.S., relating to requiring a judge to attend the first day of each term of the circuit court; repealing s. 26.38, F.S., relating to a requirement for a judge to state a reason for nonattendance; repealing s. 26.39, F.S., relating to the penalty for nonattendance of the judge; repealing s. 26.40, F.S., relating to adjournment of the circuit court upon nonattendance of the judge; repealing s. 26.42, F.S., relating to calling all cases on the docket at the end of each term; repealing s. 35.10, F.S., relating to regular terms of the district courts of appeal; repealing s. 35.11, F.S., relating to special terms of the district courts of appeal; repealing s. 907.05, F.S., relating to a requirement that criminal trials be heard in the term of court before civil cases; repealing s. 907.055, F.S., relating to a requirement that persons in custody be arraigned and tried in the term of court unless good cause is shown; amending ss. 26.46, 27.04, 30.12, 30.15, 34.13, 35.05, and 38.23, F.S.; conforming provisions to changes made by the act; creating s. 43.43, F.S.; allowing the Supreme Court to set terms of court for the Supreme Court, district courts of appeal, and circuit courts; creating s. 43.44, F.S.; authorizing appellate courts to withdraw a mandate within 120 days after its issuance; amending ss. 112.19, 206.215, 450.121, 831.10, 831.17, 877.08, 902.19, 903.32, 905.01, 905.09, 905.095, 914.03, 924.065, and 932.47, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was read the third time by title.

Pending further consideration of **SB 746**, on motion by Senator Stargel, by two-thirds vote **HB 7017** was withdrawn from the Committees on Judiciary; Appropriations Subcommittee on Criminal and Civil Justice; and Appropriations.

On motion by Senator Stargel, by two-thirds vote—

**HB 7017**—A bill to be entitled An act relating to terms of courts; repealing s. 25.051, F.S., relating to regular terms of the Supreme Court; repealing s. 26.21, F.S., relating to terms of the circuit courts; repealing s. 26.22, F.S., relating to terms of the First Judicial Circuit; repealing s. 26.23, F.S., relating to terms of the Second Judicial Circuit; repealing s. 26.24, F.S., relating to terms of the Third Judicial Circuit; repealing s. 26.25, F.S., relating to terms of the Fourth Judicial Circuit; repealing s. 26.26, F.S., relating to terms of the Fifth Judicial Circuit; repealing s. 26.27, F.S., relating to terms of the Sixth Judicial Circuit; repealing s. 26.28, F.S., relating to terms of the Seventh Judicial Circuit; repealing s. 26.29, F.S., relating to terms of the Eighth Judicial Circuit; repealing s. 26.30, F.S., relating to terms of the Ninth Judicial Circuit; repealing s. 26.31, F.S., relating to terms of the Tenth Judicial Circuit; repealing s. 26.32, F.S., relating to terms of the Eleventh Judicial Circuit; repealing s. 26.33, F.S., relating to terms of the Twelfth Judicial Circuit; repealing s. 26.34, F.S., relating to terms of the Thirteenth Judicial Circuit; repealing s. 26.35, F.S., relating to terms of the Fourteenth Judicial Circuit; repealing s. 26.36, F.S., relating to terms of the Fifteenth Judicial Circuit; repealing s. 26.361, F.S., relating to terms of the Sixteenth Judicial Circuit; repealing s. 26.362, F.S., relating to terms of the Seventeenth Judicial Circuit; repealing s. 26.363, F.S., relating to terms of the Eighteenth Judicial Circuit; repealing s. 26.364, F.S., relating to terms of the Nineteenth Judicial Circuit; repealing s. 26.365, F.S., re-



lating to terms of the Twentieth Judicial Circuit; repealing s. 26.37, F.S., relating to requiring a judge to attend the first day of each term of the circuit court; repealing s. 26.38, F.S., relating to a requirement for a judge to state a reason for nonattendance; repealing s. 26.39, F.S., relating to the penalty for nonattendance of the judge; repealing s. 26.40, F.S., relating to adjournment of the circuit court upon nonattendance of the judge; repealing s. 26.42, F.S., relating to calling all cases on the docket at the end of each term; repealing s. 35.10, F.S., relating to regular terms of the district courts of appeal; repealing s. 35.11, F.S., relating to special terms of the district courts of appeal; repealing s. 907.05, F.S., relating to a requirement that criminal trials be heard in the term of court before civil cases; repealing s. 907.055, F.S., relating to a requirement that persons in custody be arraigned and tried in the term of court unless good cause is shown; amending ss. 26.46, 27.04, 30.12, 30.15, 34.13, 35.05, and 38.23, F.S.; conforming provisions to changes made by the act; creating s. 43.43, F.S.; allowing the Supreme Court to set terms of court for the Supreme Court, district courts of appeal, and circuit courts; creating s. 43.44, F.S.; authorizing appellate courts to withdraw a mandate within 120 days after its issuance; amending ss. 112.19, 206.215, 450.121, 831.10, 831.17, 877.08, 902.19, 903.32, 905.01, 905.09, 905.095, 914.03, 924.065, and 932.47, F.S.; conforming provisions to changes made by the act; providing an effective date.

—a companion measure, was substituted for **SB 746** and read the second time by title.

On motion by Senator Stargel, by two-thirds vote **HB 7017** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

**CS for SB 56**—A bill to be entitled An act relating to infant death; amending s. 383.311, F.S.; revising the education and orientation requirements for birth centers and their families to incorporate safe sleep practices and causes of Sudden Unexpected Infant Death; amending s. 383.318, F.S.; revising the postpartum care for birth center clients and infants to incorporate instruction on safe sleep practices and causes of Sudden Unexpected Infant Death; amending s. 383.3362, F.S.; revising legislative findings and intent with respect to the sudden unexpected death of an infant under a specified age; defining the term “Sudden Unexpected Infant Death”; revising provisions relating to training requirements for first responders; revising requirements relating to autopsies performed by medical examiners; requiring the Medical Examiners Commission to provide for the development and implementation of a protocol for the medicolegal investigation of Sudden Unexpected Infant Death; creating s. 395.1053, F.S.; requiring a hospital that provides birthing services to incorporate information on safe sleep practices and the possible causes of Sudden Unexpected Infant Death into the hospital’s postpartum instruction on the care of newborns; providing an effective date.

—as amended March 27 was read the third time by title.

## MOTION

On motion by Senator Negron, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Negron moved the following amendment which was adopted by two-thirds vote:

**Amendment 1 (296380) (with title amendment)**—Delete line 128 and insert: protocol for the forensic investigation of SUID dealing with

And the title is amended as follows:

Delete line 19 and insert: implementation of a protocol for the forensic

On motion by Senator Hays, **CS for SB 56** as amended was passed, ordered engrossed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Flores	Negron
Abruzzo	Galvano	Richter
Altman	Garcia	Ring
Bean	Gardiner	Sachs
Benacquisto	Gibson	Simmons
Bradley	Grimsley	Simpson
Brandes	Hays	Smith
Braynon	Hukill	Sobel
Bullard	Joyner	Soto
Clemens	Latvala	Stargel
Dean	Lee	Thompson
Detert	Legg	Thrasher
Diaz de la Portilla	Margolis	
Evers	Montford	

Nays—None

**CS for CS for SB 718**—A bill to be entitled An act relating to family law; amending s. 61.071, F.S.; requiring that alimony pendente lite be calculated in accordance with s. 61.08, F.S.; amending s. 61.075, F.S.; redefining the term “marital assets and liabilities” for purposes of equitable distribution in dissolution of marriage actions; providing that the term includes the paydown of principal of notes and mortgages secured by nonmarital real property and certain passive appreciation in such property under certain circumstances; providing formulas and guidelines for determining the amount of such passive appreciation; requiring security and interest relating to the installment payment of such assets; providing exceptions; permitting the court to provide written findings regarding any installment payments; amending s. 61.08, F.S.; defining terms; providing for the priority of bridge-the-gap alimony, followed by rehabilitative alimony, over any other form; requiring a court to make written findings regarding the basis for awarding a combination of forms of alimony, including the type of alimony and length of time for which it is awarded; providing that the party seeking alimony has the burden of proof of demonstrating a need for alimony and that the other party has the ability to pay alimony; requiring the court to consider specified relevant factors when determining the proper type and amount of alimony; revising provisions relating to the protection of awards of alimony; revising provisions for an award of durational alimony; specifying criteria related to the rebuttable presumption to award or not to award alimony; deleting a provision authorizing permanent alimony; providing for retirement of a party against whom alimony is sought; providing for imputation of income to the obligor or obligee in certain circumstances; amending s. 61.09, F.S.; providing for the calculation of alimony; amending s. 61.13, F.S.; establishing a presumption that it is in the best interest of the child for the court to order equal time-sharing for each minor child; providing exceptions; providing prospective applicability of the presumption; amending s. 61.14, F.S.; authorizing a party to apply for an order to terminate the amount of support, maintenance, or alimony; requiring that an alimony order be modified upward upon a showing by clear and convincing evidence of an increased ability to pay alimony by the other party; prohibiting an increase in an obligor’s income from being considered permanent in nature until it has been maintained for a specified period without interruption; providing an exemption from the reduction or termination of an alimony award in certain circumstances; providing that there is a rebuttable presumption that any modification or termination of an alimony award is retroactive to the date of the filing of the petition; providing for an award of attorney fees and costs if it is determined that an obligee unnecessarily or un-

reasonably litigates a petition for modification or termination of an alimony award; prohibiting an alimony award from being modified providing that if the court orders alimony concurrent with a child support order, the alimony award may not be modified because of the later modification or termination of child support payments; providing that an obligor's subsequent remarriage or cohabitation is not a basis for modification of alimony; providing that income and assets of obligor's subsequent spouse or person with whom the obligor is residing are generally not relevant to modification; providing that the attaining of retirement age is a substantial change in circumstances; requiring the court to consider certain factors in determining whether the obligor's retirement is reasonable; requiring a court to terminate or reduce an alimony award based on certain factors; amending s. 61.19, F.S.; authorizing separate adjudication of issues in a dissolution of marriage case in certain circumstances; providing for temporary orders necessary to protect the parties and their children; amending s. 61.30, F.S.; providing for consideration of time-sharing schedules as a factor in the adjustment of awards of child support; providing for retroactive application of the act to alimony awards entered before July 1, 2013; providing an exception; providing allowable dates for the modification of such awards; providing an effective date.

—as amended March 27 was read the third time by title.

Senator Stargel moved the following amendments which were adopted by two-thirds vote:

**Amendment 1 (858090)**—Delete lines 193-202 and insert:

(c) “Mid-term marriage” means a marriage having a duration of more than 11 years but less than 20 years, as measured from the date of marriage to the date of filing the petition for dissolution.

(d) “Net income” means net income as determined in accordance with s. 61.30.

(e) “Short term marriage” means a marriage having a duration equal to or less than 11 years, as measured from the date of the marriage to the date of filing the petition for dissolution.

**Amendment 2 (707718)**—Delete lines 265-269 and insert: *the marriage*.

Senator Flores moved the following amendments which were adopted by two-thirds vote:

**Amendment 3 (669750)**—Delete lines 358-366 and insert: *need for alimony. If the court finds that the party has met its burden in demonstrating a need for alimony and that the other party has the ability to pay alimony, the court shall determine a monthly award of alimony that may not exceed 25 percent of the obligor's gross monthly income, as calculated under s. 61.30(2)(a), with the exception that gross income does not include, consistent with paragraph (3)(h), sources of income acquired outside of the marriage which were not relied upon during the marriage.*

**Amendment 4 (760682)**—Delete lines 370-378 and insert: *alimony. If the court finds that the party has met its burden in demonstrating a need for alimony and that the other party has the ability to pay alimony, the court shall determine a monthly award of alimony that may not exceed 35 percent of the obligor's gross monthly income, as calculated under s. 61.30(2)(a), with the exception that gross income does not include, consistent with paragraph (3)(h), sources of income acquired outside of the marriage which were not relied upon during the marriage.*

**Amendment 5 (273702)**—Delete lines 383-391 and insert: *If the court finds that the party against whom alimony is sought fails to meet its burden to demonstrate that there is no need for alimony and that the party has the ability to pay alimony, the court shall determine a monthly award of alimony which may not exceed 38 percent of the obligor's gross monthly income, as calculated under s. 61.30(2)(a), with the exception that gross income does not include, consistent with paragraph (3)(h), sources of income acquired outside of the marriage which were not relied upon during the marriage.*

Senator Flores moved the following amendment:

**Amendment 6 (954208) (with title amendment)**—Between lines 391 and 392 insert:

(d) *An award of rehabilitative alimony is not subject to the income limits set forth in paragraphs (8)(a), (8)(b), and (8)(c). However, the combination of an award of rehabilitative alimony and another form of alimony shall not exceed 40 percent of the obligor's gross monthly income, as calculated under s. 61.30(2)(a), with the exception that gross income does not include, consistent with paragraph (3)(h), sources of income acquired outside of the marriage which were not relied upon during the marriage.*

And the title is amended as follows:

Delete line 33 and insert: *alimony; specifying criteria for awarding rehabilitative alimony; deleting a provision authorizing permanent*

## MOTION

On motion by Senator Stargel, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Stargel moved the following substitute amendment which was adopted by two-thirds vote:

**Amendment 7 (840834) (with title amendment)**—Between lines 391 and 392 insert:

(d) *Notwithstanding subsections (8) and (9), the combination of an award of rehabilitative alimony and another form of alimony may be awarded up to a maximum of 40 percent of the obligor's gross monthly income during the temporary period in which rehabilitative alimony has been awarded, as calculated under s. 61.30(2)(a), with the exception that gross income does not include, consistent with paragraph (3)(h), sources of income acquired outside of the marriage which were not relied upon during the marriage.*

And the title is amended as follows:

Delete line 33 and insert: *alimony; specifying criteria for awarding rehabilitative alimony; deleting a provision authorizing permanent*

Senator Stargel moved the following amendment which was adopted by two-thirds vote:

**Amendment 8 (586074)**—Delete line 771 and insert: *61.08(3), unless the court makes findings of fact that a*

## MOTION

On motion by Senator Flores, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Flores moved the following amendment:

**Amendment 9 (126712) (with title amendment)**—Delete lines 653-658 and insert: *upward and upon a showing by a preponderance of the evidence of permanently increased ability to pay alimony. Absent a finding of fraud, an increase in an obligor's income may not be considered permanent in nature unless the increase has been maintained without interruption for at least 2 years, taking into account the obligor's ability to sustain his or her income.*

2. *An alimony order shall be modified downward upon a showing by a preponderance of the evidence of a permanently decreased ability to pay alimony. Absent a finding of fraud a decrease in an obligor's income may not be considered permanent in nature unless the decrease has been maintained without interruption for at least 2 years, taking into account the obligor's ability to sustain his or her income.*

And the title is amended as follows:

Delete line 48 and insert: *to pay alimony by the other party; requiring an alimony order be modified downward under certain circumstances; prohibiting an*

## MOTION

On motion by Senator Flores, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Flores moved the following substitute amendment which was adopted by two-thirds vote:

**Amendment 10 (633350)**—Delete lines 653-658 and insert: *upward and upon a showing by a preponderance of the evidence of increased ability to pay alimony. Absent a finding of fraud, an increase in an obligor's income may not be considered permanent in nature unless the increase has been maintained without interruption for at least 1 year, taking into account the obligor's ability to sustain his or her income.*

On motion by Senator Stargel, **CS for CS for SB 718** as amended was passed, ordered engrossed and certified to the House. The vote on passage was:

Yeas—29

Mr. President	Evers	Negron
Altman	Flores	Richter
Bean	Galvano	Sachs
Benacquisto	Garcia	Simmons
Bradley	Gardiner	Simpson
Brandes	Grimsley	Smith
Braynon	Hays	Soto
Dean	Latvala	Stargel
Detert	Lee	Thrasher
Diaz de la Portilla	Legg	

Nays—11

Abruzzo	Hukill	Ring
Bullard	Joyner	Sobel
Clemens	Margolis	Thompson
Gibson	Montford	

Vote after roll call:

Yea to Nay—Diaz de la Portilla

## SPECIAL ORDER CALENDAR

On motion by Senator Flores—

**CS for CS for SB 86**—A bill to be entitled An act relating to the distribution of materials harmful to minors; amending s. 847.012, F.S.; prohibiting an adult from knowingly distributing to a minor or posting on school property certain specified materials harmful to minors; providing that it is a third-degree felony for any person to knowingly distribute to a minor or post on school property certain materials harmful to minors; defining the term “school property”; providing an exception; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 86** was placed on the calendar of Bills on Third Reading.

On motion by Senator Negron—

**CS for CS for SB 92**—A bill to be entitled An act relating to searches and seizures; creating the “Freedom from Unwarranted Surveillance Act”; defining the terms “drone” and “law enforcement agency”; prohibiting a law enforcement agency from using a drone to gather evidence or other information; providing exceptions; authorizing an aggrieved party to initiate a civil action in order to prevent or remedy a violation of the act; prohibiting a law enforcement agency from using in any court of law in this state evidence obtained or collected in violation of the act; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 92** was placed on the calendar of Bills on Third Reading.

**CS for SB 1030**—A bill to be entitled An act relating to the prohibition of electronic gambling devices; providing legislative findings and a declaration of intent and construction; amending s. 849.0935, F.S., relating to drawings by chance offered by nonprofit organizations; revising the definition of the term “drawing by chance” to include the term “raffle” within the meaning of the term and exclude the term “game promotions”; revising conditions for exceptions to prohibitions on lotteries; prohibiting the use of certain devices operated by drawing entrants; providing penalties; amending s. 849.094, F.S., relating to game promotions in connection with sale of consumer products or services; defining the term “department” as the Department of Agriculture and Consumer Services; revising definitions; prohibiting specified nonprofit organizations from operating a game promotion; providing conditions for exceptions to prohibitions on lotteries; prohibiting the use of certain devices operated by game promotion entrants; revising procedures for operation of a game promotion; providing for construction; providing that violations are deceptive and unfair trade practices; revising applicability provisions; amending s. 849.16, F.S.; defining the term “slot machine or device” for purposes of specified gambling provisions; providing a rebuttable presumption that a device, system, or network is a prohibited slot machine; amending s. 849.161, F.S.; providing definitions; revising and clarifying provisions relating to amusement games and machines; amending s. 895.02, F.S.; revising the definition of the term “racketeering activity” to include violations of specified provisions; amending s. 721.111, F.S., relating to promotional offers; conforming cross-references; reenacting ss. 16.56(1)(a), 338.234(1), 655.50(3)(g), 849.19, 896.101(2)(g), and 905.34(3), F.S., relating to the Office of Statewide Prosecution, the Florida Turnpike, money laundering, seizure of property, the Florida Money Laundering Act, and a statewide grand jury, respectively, to incorporate changes made by the act in references thereto; providing an effective date.

—was read the second time by title.

Amendments were considered and failed to conform **CS for SB 1030** to **CS for HB 155**.

Pending further consideration of **CS for SB 1030**, on motion by Senator Thrasher, by two-thirds vote **CS for HB 155** was withdrawn from the Committees on Gaming; and Rules.

On motion by Senator Thrasher—

**CS for HB 155**—An act relating to the prohibition of electronic gambling devices; providing legislative findings and a declaration of intent and construction; amending s. 849.0935, F.S., relating to drawings by chance offered by nonprofit organizations; revising the definition of the term “drawing by chance” to include the term “raffle” within the meaning of the term and exclude the term “game promotions”; revising conditions for exceptions to prohibitions on lotteries; amending s. 849.094, F.S., relating to game promotions in connection with sale of consumer products or services; revising definitions; providing that violations are deceptive and unfair trade practices; amending s. 849.16, F.S.; defining the term “slot machine or device” for purposes of specified gambling provisions; providing a rebuttable presumption that a device, system, or network is a prohibited slot machine; amending s. 849.161, F.S., relating to amusement games or machines; revising and providing definitions; revising provisions that exempt certain amusement games and centers from the application of specified provisions relating to gambling; amending s. 895.02, F.S.; revising the definition of the term “racketeering activity” to include violations of specified provisions; amending s. 721.111, F.S., relating to promotional offers; conforming cross-references; reenacting ss. 16.56(1)(a), 338.234(1), 655.50(3)(g), 849.19, 896.101(2)(g), and 905.34(3), F.S., relating to the Office of Statewide Prosecution, the Florida Turnpike, money laundering, seizure of property, the Florida Money Laundering Act, and a statewide grand jury, respectively, to incorporate changes made by the act in references thereto; providing an effective date.

—a companion measure, was substituted for **CS for SB 1030** and read the second time by title.

On motion by Senator Thrasher, by two-thirds vote **CS for HB 155** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—36

Mr. President	Flores	Margolis
Altman	Galvano	Montford
Bean	Garcia	Negron
Benacquisto	Gardiner	Richter
Bradley	Gibson	Simmons
Brandes	Grimsley	Simpson
Braynon	Hays	Smith
Bullard	Hukill	Sobel
Dean	Joyner	Soto
Detert	Latvala	Stargel
Diaz de la Portilla	Lee	Thompson
Evers	Legg	Thrasher

Nays—4

Abruzzo	Clemens	Ring
Sachs		

On motion by Senator Flores—

**CS for CS for SB 1660**—A bill to be entitled An act relating to quality cancer care and research; creating s. 381.925, F.S.; providing legislative intent and goals; establishing a Cancer Center of Excellence Award for providers that excel in providing cancer care and treatment in this state; requiring the Florida Cancer Control and Research Advisory Council and the Biomedical Research Advisory Council to jointly develop and periodically update performance measures, a rating system, and a rating standard in accordance with specified criteria for applicants to qualify for the award; providing minimum standards; authorizing a provider to apply to the Department of Health for the award; requiring the Florida Cancer Control and Research Advisory Council and the Biomedical Research Advisory Council to jointly develop an application form; requiring the department to conduct two application cycles each year; specifying that ch. 120, F.S., does not apply to the applications or notification of entities that are eligible for the award; requiring the State Surgeon General to assemble an evaluation team to assess applications; requiring each application to be evaluated independently of any other application; providing membership of and requirements for the evaluation team; providing duties of the members of the evaluation team; requiring the State Surgeon General to notify the Governor of the providers that are eligible to receive the award; limiting the duration of the award; authorizing an award-winning cancer provider to use the designation in its advertising and marketing; providing that an award-winning cancer provider is granted preference in competitive solicitations for a specified period of time; requiring the State Surgeon General to report to the Legislature by a specified date, and annually thereafter, the status of implementing the award program; requiring the Department of Health to adopt rules related to the application cycles and submission of the application forms; amending s. 215.5602, F.S.; revising the responsibilities of the Biomedical Research Advisory Council with regard to the Cancer Center of Excellence Award program; amending s. 381.922, F.S.; authorizing endowments under the William G. “Bill” Bankhead, Jr., and David Coley Cancer Research Program for establishing funded research chairs at research institutions contingent upon an appropriation; providing procedures if the endowed chair becomes vacant; requiring that research institutions report certain information regarding the selected research chair of the endowment and other information about the endowment; providing for qualifications of the chair; specifying the use of the funds in the endowment; amending s. 1004.435, F.S.; revising the responsibilities of the Florida Cancer Control and Research Advisory Council with regard to the Cancer Center of Excellence Award program; providing an effective date.

—was read the second time by title.

Senator Flores moved the following amendments which were adopted:

**Amendment 1 (758248) (with title amendment)**—Delete lines 176 and 177 and insert: *in competitive cancer care solicitations undertaken by a state agency or state university.*

And the title is amended as follows:

Delete line 34 and insert: competitive cancer care solicitations for a specified period of

**Amendment 2 (308738) (with title amendment)**—Delete lines 212-250 and insert:

*(4) In order to attract and retain experienced research talent and attendant national grant-producing researchers to integrated cancer research and care institutions in this state, the Department of Health shall award endowments to integrated cancer research and care institutions for establishing a funded research chair, pursuant to the General Appropriations Act specifying an appropriation for this purpose. The purpose of the endowment is to provide secure funding for at least 7 years to attract an experienced and promising researcher whose continued employment for this period is not contingent upon grant awards associated with time-limited research projects. In addition, the Legislature intends for a chair to specialize in a cancer-related research field that will facilitate coordination among research institutions within the state and attract other promising researchers and funding to the state.*

*(a) If it becomes necessary for an institution that has been granted an endowed chair to replace the researcher, the endowment must cease funding expenses associated with the endowed chair other than reasonable costs for recruitment until a replacement researcher has been retained. While the endowed chair is vacant, the endowment must continue to earn interest and all earnings must be added to the balance of the endowment. A vacancy tolls the 7-year timeframe for the endowed chair.*

*(b) An institution funded pursuant to this subsection shall provide to the Governor, the President of the Senate, and the Speaker of the House of Representatives a report that must, at a minimum, describe the research program and general responsibilities of the researcher who is to be selected for the endowed chair. Upon final selection of the research chair, or if it becomes necessary to replace a research chair, the institution shall notify the chair of the Appropriations Committee of the Senate and the chair of the Appropriations Committee of the House of Representatives of the research chair's name, the endowment budget, and the specific research responsibilities. The institution shall annually report to the President of the Senate and the Speaker of the House of Representatives the research chair's name, the amount of the endowment fund used for the chair's salary, research responsibilities, the percentage of time*

And the title is amended as follows:

Delete line 47 and insert: research chairs at integrated research and care institutions contingent

Pursuant to Rule 4.19, **CS for CS for SB 1660** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Ring—

**CS for SB 1762**—A bill to be entitled An act relating to state technology; transferring, renumbering, and amending s. 14.204, F.S.; creating the Department of State Technology; providing for the organizational structure of the department; creating a Technology Advisory Council and providing for membership; amending s. 282.0041, F.S.; revising and providing definitions for terms used in the Enterprise Information Technology Services Management Act; amending s. 282.0055, F.S.; requiring the department to develop a long-range plan; providing the powers and duties of the department; amending s. 282.0056, F.S.; conforming provisions to changes made by the act; deleting the requirement that the department's work plan be presented at a public hearing; expressly exempting certain entities from data center consolidation; creating s. 282.0057, F.S.; providing a schedule for the initiation of department information technology projects; specifying tasks to be approved and completed; repealing s. 282.201, relating to the state data center system; amending s. 282.203, F.S.; conforming provisions to changes made by the act; providing for future repeal; repealing s. 282.204, F.S., relating to Northwood Shared Resource Center; repealing s. 282.205, F.S., relating to Southwood Shared Resource Center; creating s. 282.206, F.S.; establishing the Fletcher Shared Resource Center within the Department of Financial Services to provide enterprise information technology services to the department, co-location services to the Department of Legal Services and the Department of Agriculture and Consumer Services, and host the Legislative Appropriations Sys-

tem/Planning and Budgeting Subsystem; providing for governance of the center; authorizing the Department of Legal Affairs and the Department of Agriculture and Consumer Services to move data center equipment to the center; amending s. 282.318, F.S.; conforming provisions to changes made by the act; repealing s. 282.33, F.S., relating to objective standards for data center energy efficiency; repealing s. 282.34, F.S., relating to enterprise email service; amending ss. 282.604, 282.702, 282.703, 20.22, 110.205, 215.22, 215.322, 215.96, 216.292, 287.012, 287.057, 318.18, 320.0802, 328.72, 364.0135, 365.171, 365.172, 365.173, 365.174, 401.013, 401.015, 401.018, 401.021, 401.024, 401.027, 445.011, 445.045, 668.50, and 1006.73, F.S.; conforming provisions to changes made by the act; transferring the personnel, functions, and funds of the Agency for Enterprise Information Technology to the Department of State Technology; transferring specified personnel, functions, funds, trust funds, administrative orders, contracts, and rules relating to technology programs from the Department of Management Services to the Department of State Technology; transferring the Northwood Shared Resource Center and the Southwood Shared Resource Center to the department; providing that the status of any employee positions transferred to the department is retained; providing an appropriation; providing effective dates.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1762** was placed on the calendar of Bills on Third Reading.

On motion by Senator Galvano—

**CS for CS for SB 1720**—A bill to be entitled An act relating to education; amending s. 11.45, F.S.; revising actions to be taken by the Legislative Auditing Committee relating to audits of state universities and Florida College System institutions; amending s. 1001.02, F.S.; requiring the State Board of Education to specify the college credit courses that may be taken by Florida College System institution students who are concurrently participating in developmental education; requiring the State Board of Education to establish the tuition and out-of-state fees for certain credit instruction, rather than college-preparatory instruction; revising the minimum standards, definitions, and guidelines that the State Board of Education must prescribe by rule for Florida College System institutions; amending s. 1001.64, F.S.; authorizing a board of trustees at a Florida College System institution to contract with the board of trustees of a state university for the Florida College System institution to provide developmental education; creating s. 1001.7065, F.S.; establishing a collaborative partnership between the Board of Governors and the Legislature to elevate the academic and research preeminence of this state's highest performing state research universities; establishing academic and research excellence standards for a university to be designated a preeminent state research university; providing for a preeminent state research university to establish an institute for online learning; providing duties and responsibilities of an advisory board, the university, and the Board of Governors to provide high-quality, fully online baccalaureate degree programs, including establishment of a tuition structure for the institute; providing for the award of funding to preeminent state research universities based upon performance and subject to appropriation; authorizing a preeminent state research university to establish special course requirements; providing for preeminent state research university flexibility; encouraging the Board of Governors to promote additional programs of excellence; amending s. 1004.02, F.S.; defining the term "developmental education" as it relates to public postsecondary education; amending s. 1004.43, F.S.; transferring oversight of the H. Lee Moffitt Cancer Center and Research Institute to the Board of Trustees of the University of South Florida; requiring the Board of Trustees to enter into a lease agreement for use of certain land and facilities; providing for the terms of the lease; requiring the University of South Florida and the Florida not-for-profit corporation that governs and operates the H. Lee Moffitt Cancer Center and Research Institute to enter into an agreement to review construction plans and specifications for consistency of certain criteria; revising the membership of the board of directors for the not-for-profit corporation; deleting the requirement that the Board of Governors provide for certain approvals of the articles of incorporation of the not-for-profit corporation and use of land and facilities for certain purposes; requiring the not-for-profit corporation to cause to be prepared annual financial audits; requiring the not-for-profit corporation to provide equal employment opportunities; providing for the governance and operation of the facilities if the agreement between the not-for-profit corporation and the Board of

Trustees of the University of South Florida, rather than the Board of Governors, is terminated; requiring the chief executive officer to report annually to the Board of Governors on the educational activities of the not-for-profit corporation; providing for the creation and duties of an external advisory board; repealing s. 1004.58, F.S., relating to the Leadership Board for Applied Research and Public Service; amending s. 1004.93, F.S.; deleting provisions relating to the levels and courses of instruction to be funded through the college-preparatory program; amending s. 1006.735, F.S.; establishing the Complete Florida Degree Program to recruit, recover, and retain adult learners and assist them in completing degrees aligned to high-wage, high-skill workforce needs; specifying program components and the tuition and fee structure; requiring submission of a project plan to the Legislature; amending s. 1007.23, F.S.; revising the number of semester hours in which a student who is seeking an associate in arts degree is required to indicate a baccalaureate degree program; amending s. 1007.25, F.S.; revising general education courses, common prerequisites, and degree requirements; conforming terminology to changes made by the act; amending s. 1007.263, F.S.; revising the rules that the board of trustees of a Florida College System institution may adopt with regard to admissions counseling; requiring each board of trustees to establish policies that notify students about options they may use to attain the communication and computation skills that are essential to perform college-level work; deleting a prohibition against a student's enrollment in credit courses under certain circumstances; amending s. 1007.271, F.S.; conforming provisions to changes made by the act; creating s. 1008.02, F.S.; providing definitions for the purpose of ch. 1008, F.S., relating to assessment and accountability for the K-20 education system; amending s. 1008.30, F.S.; providing that alternative assessments that may be accepted in lieu of the common placement test must be identified in rule; requiring the State Board of Education, in conjunction with the Board of Governors, to approve a series of meta-majors, academic pathways, and degree maps that identify the gateway courses required for success in each meta-major; providing requirements for the common placement testing program; requiring the State Board of Education to adopt rules that require high schools to evaluate certain students for college readiness; requiring the State Board of Education to establish by rule the test scores a student must achieve to demonstrate readiness to perform college-level work; deleting provisions to conform to changes made by the act; conforming terminology; requiring the State Board of Education to adopt rules by a specified date to implement developmental education; requiring local policies and practices set by each Florida College System institution board of trustees to outline the student achievements considered by the institution for placement determinations, identify instructional options available to students, and describe student costs and financial aid opportunities associated with each instructional option; creating s. 1008.322, F.S.; requiring the Board of Governors of the State University System to oversee the performance of state university boards of trustees in the enforcement of laws, rules, and regulations; providing that state university presidents are responsible for the accuracy of the information and data reported to the Board of Governors; authorizing the Chancellor of the State University System to investigate allegations of noncompliance with law or Board of Governors' rule or regulation and determine probable cause; requiring the chancellor to report determinations of probable cause to the Board of Governors; authorizing the Board of Governors to initiate specified actions if the board determines that the state university board of trustees is unwilling or unable to comply with the law, certain rules or regulations, or audit recommendations; amending s. 1008.34, F.S.; revising the grading of middle schools and high schools to include added weight for students who participate and are enrolled in certain classes; amending ss. 1008.37, 1009.22, and 1009.23, F.S.; conforming provisions to changes made by the act; amending s. 1009.26, F.S.; authorizing certain Florida College System institutions to waive certain fees; repealing s. 1009.28, F.S., relating to fees for repeated enrollment in college-preparatory classes; amending s. 1009.285, F.S.; requiring a student enrolled in the same undergraduate college-credit course more than once, except for students enrolled in a gateway course for an extended period of time, to pay tuition at 100 percent of the full cost of instruction; reducing the number of times certain coursework, which is excluded for the reduction of fees, is repeated for certain purposes; amending s. 1009.286, F.S.; excluding remedial courses from those courses that are counted when calculating credit hours earned toward a baccalaureate degree; amending s. 1009.40, F.S.; providing that undergraduate students participating in developmental education are eligible to receive financial aid for a specified number of semesters or quarters; conforming provisions to changes made by the act; amending s. 1009.53, F.S.; conforming termi-

nology to changes made by the act; repealing s. 1009.531(7), F.S., relating to the eligibility of a student for an initial reward or renewal reward under the Florida Bright Futures Scholarship Program; amending s. 1011.84, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was read the second time by title.

Senator Montford moved the following amendment which was adopted:

**Amendment 1 (510130) (with title amendment)**—Delete lines 1392-1591.

And the title is amended as follows:

Delete lines 147-150 and insert: amending ss. 1008.37, 1009.22, and

Senator Galvano moved the following amendment which was adopted:

**Amendment 2 (453070) (with title amendment)**—Between lines 1757 and 1758 insert:

Section 29. *The Division of Law Revision and Information is directed to prepare a reviser's bill for the 2014 Regular Session of the Legislature to change the terms "General Educational Development test" or "GED test" to "high school equivalency examination" and the terms "general education diploma," "graduate equivalency diploma," or "GED" to "high school equivalency diploma" wherever those terms appear in the Florida Statutes.*

And the title is amended as follows:

Delete line 178 and insert: providing a directive to the Division of Law Revision and Information; providing an effective date.

Pursuant to Rule 4.19, **CS for CS for SB 1720** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

## MOTION

On motion by Senator Thrasher, the rules were waived and time of adjournment was extended until 5:40 p.m., and the Special Order Calendar Group was granted permission to meet at 5:55 p.m.

On motion by Senator Legg—

**CS for CS for SB 1076**—A bill to be entitled An act relating to education; providing a short title; amending s. 1001.42, F.S.; authorizing a district school board to appoint a governing board for a school district technical center or a system of technical centers; providing for membership of the board; amending s. 1001.706, F.S.; revising the Board of Governors' strategic plan to include criteria for the designation of certain baccalaureate degree programs and graduate degree programs as high-demand programs; amending s. 1002.3105, F.S.; adding attainment of industry certifications to the list of acceleration options available to public school students; amending s. 1003.41, F.S.; revising the core curricular content for mathematics and social studies within the Next Generation Sunshine State Standards; amending s. 1003.4156, F.S.; revising the requirements for the course in career and education planning which students in middle grades must successfully complete for promotion; amending s. 1003.4203, F.S.; requiring each district school board to make available digital materials for students in kindergarten through grade 12; revising the digital curriculum; authorizing the digital materials to be integrated into subject area curricula, offered as a separate course, or made available through other options; requiring the Department of Education to confirm that each school district has made available digital instructional materials for certain students with disabilities by a specified date; requiring the department to contract with technology companies or affiliated nonprofit organizations by a specified date to develop a cyber security recognition and a digital arts and technology recognition; requiring that the recognitions be made available to all public elementary school students at no cost to the districts; requiring the department to contract by a specified date with technology companies to provide a digital tools certificate; requiring that the digital

tools certificate be made available to all public middle school students at no cost to the school districts; providing legislative intent; requiring the department or a contracted company or companies to provide technical assistance to district school boards; providing criteria for the assistance; authorizing a district school board to seek partnerships with other school districts, private businesses, colleges, universities, or consultants to offer classes and instruction to teachers and students to assist the school district in providing digital materials and certifications; requiring the State Board of Education to adopt rules; amending s. 1003.428, F.S.; revising requirements for high school graduation to include financial literacy and a rigorous industry certification program of study; requiring students to pass certain assessments before high school graduation; creating s. 1003.4282, F.S.; providing requirements for a standard high school diploma; establishing a 24-credit requirement; providing course and assessment requirements; providing requirements relating to online courses, remediation, grade forgiveness, award of a standard high school diploma, transfer of high school credits, and career education courses that earn high school credits; requiring the State Board of Education to adopt rules; amending s. 1003.4285, F.S.; revising standard high school diploma designations; requiring a school district to provide each student and parent information about diploma designations through an online education and career planning tool; requiring the State Board of Education to approve academic eligibility designations; requiring the State Board of Education to review academic eligibility designations and make recommendations to the Legislature; creating s. 1003.4286, F.S.; authorizing the Commissioner of Education to award a standard high school diploma to certain honorably discharged veterans; amending s. 1003.429, F.S.; revising requirements for accelerated high school graduation to include financial literacy and a rigorous industry certification program of study; requiring students to pass certain assessments before high school graduation; creating s. 1003.4291, F.S.; providing requirements for accelerated high school graduation options; establishing an 18-credit requirement; providing course and assessment requirements; amending s. 1003.4295, F.S.; requiring the department to develop, the State Board of Education to approve, and each school district to provide alternative pathways of earning accelerated credit toward meeting general credit requirements for high school graduation; amending s. 1003.433, F.S.; deleting a provision that exempts students attending adult basic, adult secondary, or vocational-preparatory instruction from payment of certain fees and tuition; repealing s. 1003.4935(4), F.S., relating to the adoption of rules by the State Board of Education that identify industry certifications in science, technology, engineering, and mathematics offered in middle school to be included on the Industry Certification Funding List and which are eligible for additional full-time equivalent membership; amending s. 1004.02, F.S.; revising definitions; creating s. 1004.082, F.S.; requiring the Chancellor of the State University System to cooperate with the Commissioner of Education to support the operation of programs to encourage talented secondary school students and students of physics or mathematics programs to pursue a postsecondary education at a state university; amending s. 1004.91, F.S.; providing requirements for basic skills for a career education program; requiring each school district and Florida College System institution that conducts programs that confer career and technical certificates to provide applied academics instruction through which students receive basic skills instruction; requiring certain students to be referred to applied academics instruction or another adult general education program for a structured program or basic skills instruction; revising the types of students who are exempt from completing the basic skills for a career education program; amending s. 1004.93, F.S.; requiring students who are entering adult general education programs to complete certain activities before a specified date in order to accelerate employment; providing for the development of the action-steps-to-employment activities; amending s. 1007.263, F.S.; conforming a provision to changes made by the act; amending s. 1007.271, F.S.; conforming a provision to changes made by the act; revising requirements for career dual enrollment programs to include the earning of an industry certification; amending s. 1008.22, F.S.; substantially rewording the student assessment program for public schools; providing requirements for a statewide, standardized assessment program aligned to core curricular content in the Next Generation Sunshine State Standards; providing requirements for end-of-course assessments; providing requirements for instruction for students with disabilities; providing for transition to common core assessments in English language arts and mathematics; providing requirements for assessment scores, achievement levels, assessment schedules, and reporting of assessment results; providing prohibited and authorized assessment-preparation activities; authorizing contracts for assessments; requiring analysis of data, administration

of local assessments, and identification of concordant and comparative scores; requiring annual reporting of student performance data; requiring the state board to adopt rules; amending s. 1008.25, F.S.; requiring each school district to establish a comprehensive plan for student progression which must provide instructional sequences for students in kindergarten through high school to progressively higher levels of competency in the use of digital tools; amending s. 1008.37, F.S.; conforming a provision to changes made by the act; creating s. 1008.44, F.S.; requiring the Department of Education to annually identify the Industry Certification Funding List; requiring the State Board of Education to adopt the Postsecondary Industry Certification Funding List; requiring the Commissioner of Education to recommend to the State Board of Education the Postsecondary Industry Certification Funding List; authorizing the commissioner to recommend adding certifications; requiring the Chancellor of the State University System, the Chancellor of the Florida College System, and the Chancellor of Career and Adult Education to recommend to the commissioner industry certifications to be placed on the funding list; requiring that the Postsecondary Industry Certification Funding List be used in determining annual performance funding distributions to school districts and Florida College System institutions; requiring the chancellors to consider results of the economic security report of employment and earnings outcomes when recommending certifications for the list; requiring the commissioner to differentiate content, instructional, and assessment requirements that, when provided by a public institution and satisfactorily attained by a student, indicate accomplishment of requirements necessary for funding under certain circumstances; requiring differentiated requirements to be included in the Industry Certification Funding List; amending ss. 1009.22 and 1009.25, F.S.; conforming provisions to changes made by the act; amending s. 1011.62, F.S.; conforming provisions to changes made by the act; revising the procedure for annual allocation of funds to each school district; revising the bonus funding for enrollment in advanced placement and International Baccalaureate courses; increasing the funding cap on funding associated with industry certifications; providing a performance bonus for teachers of specified subjects; revising the calculation of additional full-time equivalent membership based on certification of successful completion of a career-themed course and issuance of an industry certification; requiring that industry certification courses be reported and funded; requiring each school district to certify to the department each elementary school that achieves a certain percentage of student attainment of certain recognitions; authorizing bonus funding for middle schools where students earn the Florida Digital Tools Certificate; amending s. 1011.80, F.S.; deleting the performance output measure for a career program of study; providing that continuing postsecondary education at a level that will further enhance employment is a performance outcome for adult general education programs; providing distribution and calculation of performance funding for school district workforce education programs; amending s. 1011.81, F.S.; providing for performance funding for industry certifications for Florida College System institutions; amending s. 1011.905, F.S.; revising requirements for performance funding for state universities; providing an effective date.

—was read the second time by title.

Senator Legg moved the following amendment which was adopted:

**Amendment 1 (951478) (with title amendment)**—Delete lines 220-250 and insert:

Section 1. Paragraph (g) is added to subsection (5) of section 1000.03, Florida Statutes, to read:

1000.03 Function, mission, and goals of the Florida K-20 education system.—

(5) The priorities of Florida's K-20 education system include:

(g) *Comprehensive K-20 career and education planning.*—It is essential that Florida's K-20 education system better prepare all students at every level for the transition from school to postsecondary education or work by providing information regarding:

1. *Career opportunities, educational requirements associated with each career, educational institutions that prepare students to enter each career, and student financial aid available to pursue postsecondary instruction required to enter each career.*

2. *How to make informed decisions about the program of study that best addresses the students' interests and abilities while preparing them to enter postsecondary education or the workforce.*

3. *Recommended coursework and programs that prepare students for success in their areas of interest and ability.*

*This information shall be provided to students and parents through websites, handbooks, manuals, or other regularly provided communications.*

Section 2. Subsection (7) of section 1000.21, Florida Statutes, is amended to read:

1000.21 Systemwide definitions.—As used in the Florida K-20 Education Code:

(7) ~~“Sunshine State Standards” or the “Next Generation Sunshine State Standards” means the state's public K-12 curricular standards, including common core standards in English Language Arts and mathematics, adopted under s. 1003.41. The term includes the Sunshine State Standards that are in place for a subject until the standards for that subject are replaced under s. 1003.41 by the Next Generation Sunshine State Standards.~~

Section 3. Subsection (26) of section 1001.42, Florida Statutes, is renumbered as subsection (27), and a new subsection (26) is added to that section, to read:

1001.42 Powers and duties of district school board.—The district school board, acting as a board, shall exercise all powers and perform all duties listed below:

(26) *TECHNICAL CENTER GOVERNING BOARD.*—May appoint a governing board for a school district technical center or a system of technical centers for the purpose of aligning the educational programs of the technical center with the needs of local businesses and responding quickly to the needs of local businesses for employees holding industry certifications. A technical center governing board shall be comprised of seven members, three of whom must be members of the district school board or their designees and four of whom must be local business leaders. The district school board shall delegate to the technical center governing board decisions regarding entrance requirements for students, curriculum, program development, budget and funding allocations, and the development with local businesses of partnership agreements and appropriate industry certifications in order to meet local and regional economic needs. A technical center governing board may approve only courses and programs that contain industry certifications. A course may be continued if at least 25 percent of the students enrolled in the course attain an industry certification. If fewer than 25 percent of the students enrolled in a course attain an industry certification, the course must be discontinued the following year.

Section 4. Paragraph (b) of subsection (1) of section 1002.3105, Florida Statutes, is amended, and subsection (5) is added to that section, to read:

1002.3105 Academically Challenging Curriculum to Enhance Learning (ACCEL) options.—

(1) ACCEL OPTIONS.—

(b) At a minimum, each school must offer the following ACCEL options: whole-grade and midyear promotion; subject-matter acceleration; virtual instruction in higher grade level subjects; and the Credit Acceleration Program under s. 1003.4295. Additional ACCEL options may include, but are not limited to, enriched science, technology, engineering, and mathematics (STEM) coursework; enrichment programs; flexible grouping; advanced academic courses; combined classes; self-paced instruction; rigorous industry certifications that are articulated to college credit and approved pursuant to ss. 1003.492 and 1008.44; work-related internships or apprenticeships; curriculum compacting; advanced-content instruction; and telescoping curriculum.

(5) *AWARD OF A STANDARD HIGH SCHOOL DIPLOMA.*—A student who meets the requirements of s. 1003.4282(3)(a)-(e), earns three credits in electives, and earns a cumulative grade point average (GPA) of 2.0 on a 4.0 scale shall be awarded a standard high school diploma in a form prescribed by the State Board of Education.



Section 5. Paragraph (a) of subsection (7) of section 1002.33, Florida Statutes, is amended to read:

1002.33 Charter schools.—

(7) CHARTER.—The major issues involving the operation of a charter school shall be considered in advance and written into the charter. The charter shall be signed by the governing board of the charter school and the sponsor, following a public hearing to ensure community input.

(a) The charter shall address and criteria for approval of the charter shall be based on:

1. The school's mission, the students to be served, and the ages and grades to be included.

2. The focus of the curriculum, the instructional methods to be used, any distinctive instructional techniques to be employed, and identification and acquisition of appropriate technologies needed to improve educational and administrative performance which include a means for promoting safe, ethical, and appropriate uses of technology which comply with legal and professional standards.

a. The charter shall ensure that reading is a primary focus of the curriculum and that resources are provided to identify and provide specialized instruction for students who are reading below grade level. The curriculum and instructional strategies for reading must be consistent with the *Next Generation Sunshine State Standards* and grounded in scientifically based reading research.

b. In order to provide students with access to diverse instructional delivery models, to facilitate the integration of technology within traditional classroom instruction, and to provide students with the skills they need to compete in the 21st century economy, the Legislature encourages instructional methods for blended learning courses consisting of both traditional classroom and online instructional techniques. Charter schools may implement blended learning courses which combine traditional classroom instruction and virtual instruction. Students in a blended learning course must be full-time students of the charter school and receive the online instruction in a classroom setting at the charter school. Instructional personnel certified pursuant to s. 1012.55 who provide virtual instruction for blended learning courses may be employees of the charter school or may be under contract to provide instructional services to charter school students. At a minimum, such instructional personnel must hold an active state or school district adjunct certification under s. 1012.57 for the subject area of the blended learning course. The funding and performance accountability requirements for blended learning courses are the same as those for traditional courses.

3. The current incoming baseline standard of student academic achievement, the outcomes to be achieved, and the method of measurement that will be used. The criteria listed in this subparagraph shall include a detailed description of:

a. How the baseline student academic achievement levels and prior rates of academic progress will be established.

b. How these baseline rates will be compared to rates of academic progress achieved by these same students while attending the charter school.

c. To the extent possible, how these rates of progress will be evaluated and compared with rates of progress of other closely comparable student populations.

The district school board is required to provide academic student performance data to charter schools for each of their students coming from the district school system, as well as rates of academic progress of comparable student populations in the district school system.

4. The methods used to identify the educational strengths and needs of students and how well educational goals and performance standards are met by students attending the charter school. The methods shall provide a means for the charter school to ensure accountability to its constituents by analyzing student performance data and by evaluating the effectiveness and efficiency of its major educational programs. Students in charter schools shall, at a minimum, participate in the statewide assessment program created under s. 1008.22.

5. In secondary charter schools, a method for determining that a student has satisfied the requirements for graduation in s. 1003.428 or s. 1003.4282, ~~s. 1003.429, or s. 1003.43.~~

6. A method for resolving conflicts between the governing board of the charter school and the sponsor.

7. The admissions procedures and dismissal procedures, including the school's code of student conduct.

8. The ways by which the school will achieve a racial/ethnic balance reflective of the community it serves or within the racial/ethnic range of other public schools in the same school district.

9. The financial and administrative management of the school, including a reasonable demonstration of the professional experience or competence of those individuals or organizations applying to operate the charter school or those hired or retained to perform such professional services and the description of clearly delineated responsibilities and the policies and practices needed to effectively manage the charter school. A description of internal audit procedures and establishment of controls to ensure that financial resources are properly managed must be included. Both public sector and private sector professional experience shall be equally valid in such a consideration.

10. The asset and liability projections required in the application which are incorporated into the charter and shall be compared with information provided in the annual report of the charter school.

11. A description of procedures that identify various risks and provide for a comprehensive approach to reduce the impact of losses; plans to ensure the safety and security of students and staff; plans to identify, minimize, and protect others from violent or disruptive student behavior; and the manner in which the school will be insured, including whether or not the school will be required to have liability insurance, and, if so, the terms and conditions thereof and the amounts of coverage.

12. The term of the charter which shall provide for cancellation of the charter if insufficient progress has been made in attaining the student achievement objectives of the charter and if it is not likely that such objectives can be achieved before expiration of the charter. The initial term of a charter shall be for 4 or 5 years. In order to facilitate access to long-term financial resources for charter school construction, charter schools that are operated by a municipality or other public entity as provided by law are eligible for up to a 15-year charter, subject to approval by the district school board. A charter lab school is eligible for a charter for a term of up to 15 years. In addition, to facilitate access to long-term financial resources for charter school construction, charter schools that are operated by a private, not-for-profit, s. 501(c)(3) status corporation are eligible for up to a 15-year charter, subject to approval by the district school board. Such long-term charters remain subject to annual review and may be terminated during the term of the charter, but only according to the provisions set forth in subsection (8).

13. The facilities to be used and their location.

14. The qualifications to be required of the teachers and the potential strategies used to recruit, hire, train, and retain qualified staff to achieve best value.

15. The governance structure of the school, including the status of the charter school as a public or private employer as required in paragraph (12)(i).

16. A timetable for implementing the charter which addresses the implementation of each element thereof and the date by which the charter shall be awarded in order to meet this timetable.

17. In the case of an existing public school that is being converted to charter status, alternative arrangements for current students who choose not to attend the charter school and for current teachers who choose not to teach in the charter school after conversion in accordance with the existing collective bargaining agreement or district school board rule in the absence of a collective bargaining agreement. However, alternative arrangements shall not be required for current teachers who choose not to teach in a charter lab school, except as authorized by the employment policies of the state university which grants the charter to the lab school.



18. Full disclosure of the identity of all relatives employed by the charter school who are related to the charter school owner, president, chairperson of the governing board of directors, superintendent, governing board member, principal, assistant principal, or any other person employed by the charter school who has equivalent decisionmaking authority. For the purpose of this subparagraph, the term “relative” means father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister.

19. Implementation of the activities authorized under s. 1002.331 by the charter school when it satisfies the eligibility requirements for a high-performing charter school. A high-performing charter school shall notify its sponsor in writing by March 1 if it intends to increase enrollment or expand grade levels the following school year. The written notice shall specify the amount of the enrollment increase and the grade levels that will be added, as applicable.

Section 6. Paragraph (a) of subsection (3) and paragraph (b) of subsection (9) of section 1002.37, Florida Statutes, are amended to read:

1002.37 The Florida Virtual School.—

(3) Funding for the Florida Virtual School shall be provided as follows:

(a)1. For a student in grades 9 through 12, a “full-time equivalent student” is one student who has successfully completed six full-credit courses that count toward the minimum number of credits required for high school graduation. A student who completes fewer than six full-credit courses is a fraction of a full-time equivalent student. Half-credit course completions shall be included in determining a full-time equivalent student. Credit completed by a student in excess of the minimum required for that student for high school graduation is not eligible for funding.

2. For a student in kindergarten through grade 8, a “full-time equivalent student” is one student who has successfully completed six courses or the prescribed level of content that counts toward promotion to the next grade. A student who completes fewer than six courses or the prescribed level of content shall be a fraction of a full-time equivalent student.

3. Beginning in the 2016-2017 ~~2014-2015~~ fiscal year, ~~when s. 1008.22(3)(g) is implemented~~, the reported full-time equivalent students and associated funding of students enrolled in courses requiring passage of an end-of-course assessment *under s. 1003.4282 to earn a standard high school diploma shall be adjusted if after the student does not pass completes the end-of-course assessment. However, no adjustment shall be made for home education program students who choose not to take an end-of-course assessment or for a student who enrolls in a segmented remedial course delivered online.*

For purposes of this paragraph, the calculation of “full-time equivalent student” shall be as prescribed in s. 1011.61(1)(c)1.b.(V).

(g)

(b) Public school students receiving part-time instruction by the Florida Virtual School in courses requiring statewide end-of-course assessments must take all statewide end-of-course assessments required pursuant to s. 1008.22 ~~s. 1008.22(3)(c)2~~.

Section 7. *Section 1002.375, Florida Statutes, is repealed.*

Section 8. Paragraph (b) of subsection (4) and paragraph (e) of subsection (7) of section 1002.45, Florida Statutes, are amended to read:

1002.45 Virtual instruction programs.—

(4) CONTRACT REQUIREMENTS.—Each contract with an approved provider must at minimum:

(b) Provide a method for determining that a student has satisfied the requirements for graduation in s. 1003.428 or s. 1003.4282, ~~s. 1003.429, or s. 1003.43~~ if the contract is for the provision of a full-time virtual instruction program to students in grades 9 through 12.

(7) VIRTUAL INSTRUCTION PROGRAM AND VIRTUAL CHARTER SCHOOL FUNDING.—

(e) Beginning in the 2016-2017 ~~2014-2015~~ fiscal year, ~~when s. 1008.22(3)(g) is implemented~~, the reported full-time equivalent students and associated funding of students enrolled in courses requiring passage of an end-of-course assessment *under s. 1003.4282 to earn a standard high school diploma shall be adjusted if after the student does not pass completes the end-of-course assessment. However, no adjustment shall be made for a student who enrolls in a segmented remedial course delivered online.*

Section 9. Paragraph (i) of subsection (1) of section 1003.02, Florida Statutes, is amended to read:

1003.02 District school board operation and control of public K-12 education within the school district.—As provided in part II of chapter 1001, district school boards are constitutionally and statutorily charged with the operation and control of public K-12 education within their school district. The district school boards must establish, organize, and operate their public K-12 schools and educational programs, employees, and facilities. Their responsibilities include staff development, public K-12 school student education including education for exceptional students and students in juvenile justice programs, special programs, adult education programs, and career education programs. Additionally, district school boards must:

(1) Provide for the proper accounting for all students of school age, for the attendance and control of students at school, and for proper attention to health, safety, and other matters relating to the welfare of students in the following fields:

(i) Parental notification of acceleration options.—At the beginning of each school year, notify parents of students in or entering high school of the opportunity and benefits of advanced placement, International Baccalaureate, Advanced International Certificate of Education, dual enrollment, and Florida Virtual School courses and options for early ~~or accelerated high school~~ graduation under s. ~~ss. 1003.4281 and 1003.429~~.

Section 10. Paragraph (c) of subsection (3) of section 1003.03, Florida Statutes, is amended to read:

1003.03 Maximum class size.—

(3) IMPLEMENTATION OPTIONS.—District school boards must consider, but are not limited to, implementing the following items in order to meet the constitutional class size maximums described in subsection (1):

(c)1. Repeal district school board policies that require students to ~~earn have~~ more than the 24 credits required under s. 1003.428 to graduate from high school.

2. *Implement the early graduation option provided in s. 1003.4281. Adopt policies to allow students to graduate from high school as soon as they pass the grade 10 FCAT and complete the courses required for high school graduation.*

Section 11. Section 1003.41, Florida Statutes, is amended to read:

*(Substantial rewording of section. See*

*s. 1003.41, F.S., for present text.)*

1003.41 *Next Generation Sunshine State Standards.—*

*(1) Next Generation Sunshine State Standards establish the core content of the curricula to be taught in the state and specify the core content knowledge and skills that K-12 public school students are expected to acquire. Standards must be rigorous and relevant and provide for the logical, sequential progression of core curricular content that incrementally increases a student's core content knowledge and skills over time. Curricular content for all subjects must integrate critical-thinking, problem-solving, and workforce-literacy skills; communication, reading, and writing skills; mathematics skills; collaboration skills; contextual and applied-learning skills; technology-literacy skills; information and media-literacy skills; and civic-engagement skills. The standards must include distinct grade-level expectations for the core content knowledge and skills that a student is expected to have acquired by each individual*

grade level from kindergarten through grade 8. The standards for grades 9 through 12 may be organized by grade clusters of more than one grade level except as otherwise provided for visual and performing arts, physical education, health, and foreign language standards.

(2) Next Generation Sunshine State Standards must meet the following requirements:

(a) English Language Arts standards must establish specific curricular content for, at a minimum, reading, writing, speaking and listening, and language.

(b) Science standards must establish specific curricular content for, at a minimum, the nature of science, earth and space science, physical science, and life science.

(c) Mathematics standards must establish specific curricular content for, at a minimum, algebra, geometry, statistics and probability, number and quantity, functions, and modeling.

(d) Social Studies standards must establish specific curricular content for, at a minimum, geography, United States and world history, government, civics, humanities, and economics, including financial literacy. Financial literacy includes the knowledge, understanding, skills, behaviors, attitudes, and values that will enable a student to make responsible and effective financial decisions on a daily basis. Financial literacy instruction shall be an integral part of instruction throughout the entire economics course and include information regarding earning income; buying goods and services; saving and financial investing; taxes; the use of credit and credit cards; budgeting and debt management, including student loans and secured loans; banking and financial services; planning for one's financial future, including higher education and career planning; credit reports and scores; and fraud and identity theft prevention.

(e) Visual and performing arts, physical education, health, and foreign language standards must establish specific curricular content and include distinct grade level expectations for the core content knowledge and skills that a student is expected to have acquired by each individual grade level from kindergarten through grade 5. The standards for grades 6 through 12 may be organized by grade clusters of more than one grade level.

(3) The Commissioner of Education, as needed, shall develop and submit proposed revisions to the standards for review and comment by Florida educators, school administrators, representatives of the Florida College System institutions and state universities who have expertise in the content knowledge and skills necessary to prepare a student for postsecondary education and careers, business and industry leaders, and the public. The commissioner, after considering reviews and comments, shall submit the proposed revisions to the State Board of Education for adoption. In addition, the commissioner shall prepare an analysis of the costs associated with implementing a separate, one-half credit course in financial literacy, including estimated costs for instructional personnel, training, and the development or purchase of instructional materials. The commissioner shall work with one or more nonprofit organizations with proven expertise in the area of personal finance, consider free resources that can be utilized for instructional materials, and provide data on the implementation of such a course in other states. The commissioner shall provide the cost analysis to the President of the Senate and the Speaker of the House of Representatives by October 1, 2013.

(4) The State Board of Education shall adopt rules to administer this section.

Section 12. Section 1003.413, Florida Statutes, is repealed.

Section 13. Section 1003.4156, Florida Statutes, is amended to read:

1003.4156 General requirements for middle grades promotion.—

(1) In order for a student to be promoted to high school Promotion from a school that includes ~~composed of~~ middle grades 6, 7, and 8, requires that:

(a) the student must successfully complete the following academic courses as follows:

(a)1. Three middle grades ~~school~~ or higher courses in English Language Arts (ELA). These courses shall emphasize literature, composition, and technical text.

(b)2. Three middle grades ~~school~~ or higher courses in mathematics. Each middle school that includes middle grades must offer at least one high school level mathematics course for which students may earn high school credit. Successful completion of a high school level Algebra I or geometry course is not contingent upon the student's performance on the statewide, standardized end-of-course (EOC) assessment or, upon transition to common core assessments, the common core Algebra I or geometry assessments required under s. 1008.22 s. 1008.22(3)(c)2.a.(I). However, beginning with the 2011-2012 school year, to earn high school credit for an Algebra I course, a middle grades ~~school~~ student must pass the Algebra I statewide, standardized end-of-course assessment, and beginning with the 2012-2013 school year, to earn high school credit for a geometry course, a middle grades ~~school~~ student must take pass the statewide, standardized geometry end-of-course assessment, which constitutes 30 percent of the student's final course grade, and earn a passing grade in the course.

(c)3. Three middle grades ~~school~~ or higher courses in social studies; one semester of which must include the study of state and federal government and civics education. Beginning with students entering grade 6 in the 2012-2013 school year, one of these courses must be at least a one-semester civics education course that a student successfully completes in accordance with s. 1008.22(3)(c) and that includes the roles and responsibilities of federal, state, and local governments; the structures and functions of the legislative, executive, and judicial branches of government; and the meaning and significance of historic documents, such as the Articles of Confederation, the Declaration of Independence, and the Constitution of the United States. Beginning with the 2013-2014 school year, each student's performance on the statewide, standardized EOC assessment in civics education required under s. 1008.22 constitutes 30 percent of the student's final course grade.

(d)4. Three middle grades ~~school~~ or higher courses in science. Successful completion of a high school level Biology I course is not contingent upon the student's performance on the statewide, standardized EOC end-of-course assessment required under s. 1008.22 s. 1008.22(3)(c) 2.a.(II). However, beginning with the 2012-2013 school year, to earn high school credit for a Biology I course, a middle grades ~~school~~ student must take pass the statewide, standardized Biology I EOC end-of-course assessment, which constitutes 30 percent of the student's final course grade, and earn a passing grade in the course.

(e)5. One course in career and education planning to be completed in 6th, 7th, or 8th grade. The course may be taught by any member of the instructional staff. At a minimum, the course must be Internet-based, easy to use, and customizable to each student and include research-based assessments to assist students in determining educational and career options and goals. In addition, the course; must result in a completed personalized academic and career plan for the student; must emphasize the importance of entrepreneurship skills; must emphasize technology or the application of technology in career fields; and, beginning in the 2014-2015 academic year, must include information from the Department of Economic Opportunity's economic security report as described in s. 445.07. The required personalized academic and career plan must inform students of high school graduation requirements, including a detailed explanation of the diploma designation options provided under s. 1003.4285; high school assessment and college entrance test requirements; Florida Bright Futures Scholarship Program requirements; state university and Florida College System institution admission requirements; available opportunities to; and programs through which a high school student can earn college credit in high school, including Advanced Placement courses; the; International Baccalaureate Program; the; Advanced International Certificate of Education Program; dual enrollment, including career dual enrollment; and career education courses, including academy and career-themed courses course opportunities, and courses that lead to national industry certification pursuant to s. 1003.492 or s. 1008.44.

A student with a disability, as defined in s. 1007.02(2), for whom the individual education plan team determines that an end-of-course assessment cannot accurately measure the student's abilities, taking into consideration all allowable accommodations, shall have the end-of-course assessment results waived for purposes of determining the student's course grade and completing the requirements for middle grades

~~promotion.~~ Each school must inform parents about the course curriculum and activities. Each student shall complete a personal education plan that must be signed by the student and the student's parent. The Department of Education shall develop course frameworks and professional development materials for the career and education planning course. The course may be implemented as a stand-alone course or integrated into another course or courses. The Commissioner of Education shall collect longitudinal high school course enrollment data by student ethnicity in order to analyze course-taking patterns.

(2)(b) ~~If For each year in which a middle grades student scores at Level 1 or Level 2 on FCAT Reading or, when the state transitions to common core assessments on the English Language Arts assessments required under s. 1008.22, the following year the student must enroll be enrolled in and complete a remedial an intensive reading course the following year. Placement of Level 2 readers in either an intensive reading course or a content area course in which remediation reading strategies are incorporated into course content delivery delivered shall be determined by diagnosis of reading needs.~~ The department shall provide guidance on appropriate strategies for diagnosing and meeting the varying instructional needs of students performing reading below grade level. ~~Reading courses shall be designed and offered pursuant to the comprehensive reading plan required by s. 1011.62(9). A middle grades student who scores at Level 1 or Level 2 on FCAT Reading but who did not score below Level 3 in the previous 3 years may be granted a 1 year exemption from the reading remediation requirement; however, the student must have an approved academic improvement plan already in place, signed by the appropriate school staff and the student's parent, for the year for which the exemption is granted.~~

(3)(e) ~~If For each year in which a middle grades student scores at Level 1 or Level 2 on FCAT Mathematics or, when the state transitions to common core assessments, on the mathematics common core assessments required under s. 1008.22, the following year, the student must receive remediation the following year, which may be integrated into the student's required mathematics courses course.~~

(2) ~~Students in grade 6, grade 7, or grade 8 who are not enrolled in schools with a middle grades configuration are subject to the promotion requirements of this section.~~

(4)(3) ~~The State Board of Education shall may adopt rules pursuant to ss. 120.536(1) and 120.54 to implement the provisions of this section and may enforce the provisions of this section pursuant to s. 1008.32.~~

Section 14. Section 1003.4203, Florida Statutes, is amended to read:

1003.4203 Digital materials, recognitions, certificates, and technical assistance curriculum.—

(1) Each district school board, in consultation with the district school superintendent, ~~shall make available may develop and implement a digital materials curriculum for students in prekindergarten grades 6 through grade 12 in order to enable students to attain digital skills competencies in web communications and web design. A digital curriculum may include web-based skills, web-based core technologies, web design, use of digital technologies and markup language to show competency in computer skills, and use of web-based core technologies to design creative, informational, and content standards for web-based digital products that demonstrate proficiency in creating, publishing, testing, monitoring, and maintaining a website.~~

(2) ~~The digital materials curriculum instruction may be integrated into middle school and high school subject area curricula, or offered as a separate course, made available through open-access options, or deployed through online or digital computer applications, subject to available funding.~~

(2) *Beginning with the 2013-2014 school year, each district school board, in consultation with the district school superintendent, shall make available digital and instructional materials, including software applications, to students with disabilities who are in prekindergarten through grade 12.*

(3) *Subject to available funding, by December 1, 2013, the department shall contract with one or more technology companies, or affiliated nonprofit organizations, that have approved industry certifications identified on the Industry Certification Funding List or the Postsecondary Industry*

*Certification Funding List, pursuant to s. 1003.492 or s. 1008.44, to develop a Florida Cyber Security Recognition and a Florida Digital Arts Recognition. The department shall notify each school district when the recognitions are developed and available. The recognitions shall be made available to all public elementary school students at no cost to the districts or charter schools.*

(a) *Targeted knowledge and skills to be mastered for each recognition shall be identified by the department. Knowledge and skills may be demonstrated through student attainment of the below recognitions in particular content areas:*

1. *The Florida Cyber Security Recognition must be based upon an understanding of computer processing operations and, in most part, on cyber security skills that increase a student's cyber-safe practices.*

2. *The Florida Digital Arts Recognition must reflect a balance of skills in technology and the arts.*

(b) *The technology companies or affiliated nonprofit organizations that provide the recognition must provide open access to materials for teaching and assessing the skills a student must acquire in order to earn a Florida Cyber Security Recognition or a Florida Digital Arts Recognition. The school district shall notify each elementary school advisory council of the methods of delivery of the open-access content and assessments. If there is no elementary school advisory council, notification must be provided to the district advisory council.*

(4) *Subject to available funding, by December 1, 2013, the department shall contract with one or more technology companies that have approved industry certifications identified on the Industry Certification Funding List or the Postsecondary Industry Certification Funding List, pursuant to s. 1003.492 or s. 1008.44, to develop a Florida Digital Tools Certificate to indicate a student's digital skills. The department shall notify each school district when the certificate is developed and available. The certificate shall be made available to all public middle grades students at no cost to the districts or charter schools.*

(a) *Targeted skills to be mastered for the certificate include digital skills that are necessary to the student's academic work and skills the student may need in future employment. The skills must include, but are not limited to, word processing, spreadsheet display, and creation of presentations, including sound, text, and graphic presentations, consistent with industry certifications that are listed on the Industry Certification Funding List, pursuant to s. 1003.492.*

(b) *A technology company that provides the certificate must provide open access to materials for teaching and assessing the skills necessary to earn the certificate. The school district shall notify each middle school advisory council of the methods of delivery of the open-access content and assessments for the certificate. If there is no middle school advisory council, notification must be provided to the district advisory council.*

(c) *The Legislature intends that by July 1, 2018, on an annual basis, at least 75 percent of public middle grades students earn a Florida Digital Tools Certificate.*

(5)(3) ~~The Department of Education or a company contracted with under subsection (4) shall provide technical assistance to shall develop a model digital curriculum to serve as a guide for district school boards in the implementation of this section. Technical assistance to districts shall include, but is not limited to, identification of digital resources, primarily open-access resources, including digital curriculum, instructional materials, media assets, and other digital tools and applications; training mechanisms for teachers and others to facilitate integration of digital resources and technologies into instructional strategies; and model policies and procedures that support sustainable implementation practices development of a digital curriculum.~~

(6)(4) *A district school board may seek partnerships with other school districts, private businesses, postsecondary institutions, or and consultants to offer classes and instruction to teachers and students to assist the school district in providing digital materials, recognitions, and certificates established pursuant to this section curriculum instruction.*

(7) *The State Board of Education shall adopt rules to administer this section.*

And the title is amended as follows:

Delete lines 2-51 and insert: An act relating to K-20 education; amending s. 1000.03, F.S.; providing for comprehensive K-20 career and education planning; amending s. 1000.21, F.S.; providing that Next Generation Sunshine State Standards include specified common core standards; amending s. 1001.42, F.S.; authorizing a district school board to appoint a governing board for a school district technical center; providing governing board membership and responsibilities; amending s. 1002.3105, F.S.; providing additional academically challenging curriculum options; amending s. 1002.33, F.S.; conforming provisions; amending s. 1002.37, F.S.; revising funding for the Florida Virtual School based on student completion of end-of-course assessments; repealing s. 1002.375, F.S., relating to an alternative credit for high school courses pilot project; amending s. 1002.45, F.S.; revising funding for virtual instruction programs based on student completion of end-of-course assessments; amending s. 1003.02, F.S.; conforming provisions; amending s. 1003.03, F.S.; revising implementation options to meet class size requirements; amending s. 1003.41, F.S.; revising requirements for the Next Generation Sunshine State Standards; repealing s. 1003.413, F.S., relating to the Florida Secondary School Redesign Act; amending s. 1003.4156, F.S.; revising middle grades promotion requirements; conforming provisions relating to the statewide, standardized assessment program; revising career and education planning course content; revising remediation strategies; amending s. 1003.4203, F.S.; requiring the availability of digital materials in prekindergarten through grade 12; providing for digital recognition and certificate programs; amending s.

Senator Legg moved the following amendment:

**Amendment 2 (689644) (with title amendment)**—Delete lines 551-2048 and insert:

Section 15. Section 1003.428, Florida Statutes, is amended to read:

1003.428 General requirements for high school graduation;—~~revised.~~—

(1) ~~Except as otherwise authorized pursuant to s. 1003.429,~~ Beginning with students entering grade 9 in the 2007-2008 school year, graduation requires the successful completion of a minimum of 24 credits, an International Baccalaureate curriculum, or an Advanced International Certificate of Education curriculum. Students must be advised of eligibility requirements for state scholarship programs and post-secondary admissions.

(2) The 24 credits may be earned through applied, integrated, and ~~career education combined~~ courses approved by the Department of Education. The 24 credits shall be distributed as follows:

(a) Sixteen core curriculum credits:

1. Four credits in English, with major concentration in composition, reading for information, and literature.

2. Four credits in mathematics, one of which must be Algebra I, a series of courses equivalent to Algebra I, or a higher-level mathematics course. Beginning with students entering grade 9 in the 2010-2011 school year, in addition to the Algebra I credit requirement, one of the four credits in mathematics must be geometry or a series of courses equivalent to geometry as approved by the State Board of Education. Beginning with students entering grade 9 in the 2010-2011 school year, the end-of-course assessment requirements under s. 1008.22(3)(c)2.a.(I) must be met in order for a student to earn the required credit in Algebra I. Beginning with students entering grade 9 in the 2011-2012 school year, the end-of-course assessment requirements under s. 1008.22(3)(c)2.a.(I) must be met in order for a student to earn the required credit in geometry. Beginning with students entering grade 9 in the 2012-2013 school year, in addition to the Algebra I and geometry credit requirements, one of the four credits in mathematics must be Algebra II or a series of courses equivalent to Algebra II as approved by the State Board of Education.

3. Three credits in science, two of which must have a laboratory component. Beginning with students entering grade 9 in the 2011-2012 school year, one of the three credits in science must be Biology I or a series of courses equivalent to Biology I as approved by the State Board of Education. Beginning with students entering grade 9 in the 2011-2012 school year, the end-of-course assessment requirements under s. 1008.22(3)(c)2.a.(II) must be met in order for a student to earn the re-

quired credit in Biology I. Beginning with students entering grade 9 in the 2013-2014 school year, one of the three credits must be Biology I or a series of courses equivalent to Biology I as approved by the State Board of Education, one credit must be chemistry or physics or a series of courses equivalent to chemistry or physics as approved by the State Board of Education, and one credit must be an equally rigorous course, as determined by the State Board of Education.

4. Three credits in social studies as follows: one credit in United States history; one credit in world history; one-half credit in economics, *which shall include financial literacy*; and one-half credit in United States government.

5. One credit in fine or performing arts, speech and debate, or a practical arts course that incorporates artistic content and techniques of creativity, interpretation, and imagination. Eligible practical arts courses shall be identified through the Course Code Directory.

6. One credit in physical education to include integration of health. Participation in an interscholastic sport at the junior varsity or varsity level for two full seasons shall satisfy the one-credit requirement in physical education if the student passes a competency test on personal fitness with a score of "C" or better. The competency test on personal fitness must be developed by the Department of Education. A district school board may not require that the one credit in physical education be taken during the 9th grade year. Completion of one semester with a grade of "C" or better in a marching band class, in a physical activity class that requires participation in marching band activities as an extracurricular activity, or in a dance class shall satisfy one-half credit in physical education or one-half credit in performing arts. This credit may not be used to satisfy the personal fitness requirement or the requirement for adaptive physical education under an individual education plan (IEP) or 504 plan. Completion of 2 years in a Reserve Officer Training Corps (R.O.T.C.) class, a significant component of which is drills, shall satisfy the one-credit requirement in physical education and the one-credit requirement in performing arts. This credit may not be used to satisfy the personal fitness requirement or the requirement for adaptive physical education under an individual education plan (IEP) or 504 plan.

(b) Eight credits in electives.

1. For each year in which a student scores ~~at~~ Level 1 on FCAT Reading, the student must be enrolled in and complete an intensive reading course the following year. Placement of Level 2 readers in either an intensive reading course or a content area course in which reading strategies are delivered shall be determined by diagnosis of reading needs. The department shall provide guidance on appropriate strategies for diagnosing and meeting the varying instructional needs of students reading below grade level. Reading courses shall be designed and offered pursuant to the comprehensive reading plan required by s. 1011.62(9). A high school student who scores ~~at~~ Level 1 or Level 2 on FCAT Reading but who did not score below Level 3 in the previous 3 years may be granted a 1-year exemption from the reading remediation requirement; however, the student must have an approved academic improvement plan already in place, signed by the appropriate school staff and the student's parent, for the year for which the exemption is granted.

2. For each year in which a student scores ~~at~~ Level 1 or Level 2 on FCAT Mathematics, the student must receive remediation the following year. These courses may be taught through applied, integrated, or combined courses and are subject to approval by the department for inclusion in the Course Code Directory.

(c) Beginning with students entering grade 9 in the 2011-2012 school year, at least one course within the 24 credits required in this subsection must be completed through online learning. A school district may not require a student to take the online course outside the school day or in addition to a student's courses for a given semester. An online course taken during grades 6 through 8 fulfills this requirement. This requirement shall be met through an online course offered by the Florida Virtual School, an online course offered by the high school, or an online dual enrollment course. A student who is enrolled in a full-time or part-time virtual instruction program under s. 1002.45 meets this requirement. This requirement does not apply to a student who has an individual educational plan under s. 1003.57 which indicates that an online course would be inappropriate or a student who is enrolled in a Florida high school and has less than 1 academic year remaining in high school.

(3)(a) A district school board may require specific courses and programs of study within the minimum credit requirements for high school graduation and shall modify basic courses, as necessary, to assure exceptional students the opportunity to meet the graduation requirements for a standard diploma, using one of the following strategies:

1. Assignment of the exceptional student to an exceptional education class for instruction in a basic course with the same student performance standards as those required of nonexceptional students in the district school board student progression plan; or

2. Assignment of the exceptional student to a basic education class for instruction that is modified to accommodate the student's exceptionality.

(b) The district school board shall determine which of these strategies to employ based upon an assessment of the student's needs and shall reflect this decision in the student's individual education plan.

(4) Each district school board shall establish standards for graduation from its schools, which must include:

(a) Successful completion of the academic credit or curriculum requirements of subsections (1) and (2). For courses that require statewide, standardized end-of-course assessments under s. 1008.22(3)(c)2.d., a minimum of 30 percent of a student's course grade shall be comprised of performance on the statewide, standardized end-of-course assessment.

(b) Earning passing scores on the FCAT, as defined in s. 1008.22(3)(c), or scores on a standardized test that are concordant with passing scores on the FCAT as defined in s. 1008.22(10).

(c) Completion of all other applicable requirements prescribed by the district school board pursuant to s. 1008.25.

(d) Achievement of a cumulative grade point average of 2.0 on a 4.0 scale, or its equivalent, in the courses required by this section.

Each district school board shall adopt policies designed to assist students in meeting the requirements of this subsection. These policies may include, but are not limited to: forgiveness policies, summer school or before or after school attendance, special counseling, volunteers or peer tutors, school-sponsored help sessions, homework hotlines, and study skills classes. Forgiveness policies for required courses shall be limited to replacing a grade of "D" or "F," or the equivalent of a grade of "D" or "F," with a grade of "C" or higher, or the equivalent of a grade of "C" or higher, earned subsequently in the same or comparable course. Forgiveness policies for elective courses shall be limited to replacing a grade of "D" or "F," or the equivalent of a grade of "D" or "F," with a grade of "C" or higher, or the equivalent of a grade of "C" or higher, earned subsequently in another course. The only exception to these forgiveness policies shall be made for a student in the middle grades who takes any high school course for high school credit and earns a grade of "C," "D," or "F" or the equivalent of a grade of "C," "D," or "F." In such case, the district forgiveness policy must allow the replacement of the grade with a grade of "C" or higher, or the equivalent of a grade of "C" or higher, earned subsequently in the same or comparable course. In all cases of grade forgiveness, only the new grade shall be used in the calculation of the student's grade point average. Any course grade not replaced according to a district school board forgiveness policy shall be included in the calculation of the cumulative grade point average required for graduation.

(5) The State Board of Education, after a public hearing and consideration, shall adopt rules based upon the recommendations of the commissioner for the provision of test accommodations and modifications of procedures as necessary for students with disabilities which will demonstrate the student's abilities rather than reflect the student's impaired sensory, manual, speaking, or psychological process skills.

(6) The public hearing and consideration required in subsection (5) shall not be construed to amend or nullify the requirements of security relating to the contents of examinations or assessment instruments and related materials or data as prescribed in s. 1008.23.

(7)(a) A student who meets all requirements prescribed in subsections (1), (2), (3), and (4) shall be awarded a standard diploma in a form prescribed by the State Board of Education.

(b) A student who completes the minimum number of credits and other requirements prescribed by subsections (1), (2), and (3), but who is unable to meet the standards of paragraph (4)(b), paragraph (4)(c), or paragraph (4)(d), shall be awarded a certificate of completion in a form prescribed by the State Board of Education. However, any student who is otherwise entitled to a certificate of completion may elect to remain in the secondary school either as a full-time student or a part-time student for up to 1 additional year and receive special instruction designed to remedy his or her identified deficiencies.

(8)(a) Each district school board must provide instruction to prepare students with disabilities to demonstrate proficiency in the core content knowledge and skills necessary for successful grade-to-grade progression and high school graduation.

(b)1. A student with a disability, as defined in s. 1007.02(2), for whom the individual education plan (IEP) committee determines that the FCAT cannot accurately measure the student's abilities taking into consideration all allowable accommodations, shall have the FCAT requirement of paragraph (4)(b) waived for the purpose of receiving a standard high school diploma, if the student:

a. Completes the minimum number of credits and other requirements prescribed by subsections (1), (2), and (3).

b. Does not meet the requirements of paragraph (4)(b) after one opportunity in 10th grade and one opportunity in 11th grade.

2. A student with a disability, as defined in s. 1007.02(2), for whom the IEP committee determines that an end-of-course assessment cannot accurately measure the student's abilities, taking into consideration all allowable accommodations, shall have the end-of-course assessment results waived for the purpose of determining the student's course grade and credit as required in paragraph (4)(a).

~~(9) The Commissioner of Education may award a standard high school diploma to honorably discharged veterans who started high school between 1937 and 1946 and were scheduled to graduate between 1941 and 1950 but were inducted into the United States Armed Forces between September 16, 1940, and December 31, 1946, prior to completing the necessary high school graduation requirements. Upon the recommendation of the commissioner, the State Board of Education may develop criteria and guidelines for awarding such diplomas.~~

~~(10) The Commissioner of Education may award a standard high school diploma to honorably discharged veterans who started high school between 1946 and 1950 and were scheduled to graduate between 1950 and 1954, but were inducted into the United States Armed Forces between June 27, 1950, and January 31, 1955, and served during the Korean Conflict prior to completing the necessary high school graduation requirements. Upon the recommendation of the commissioner, the State Board of Education may develop criteria and guidelines for awarding such diplomas.~~

~~(9)(11)~~ The State Board of Education may adopt rules pursuant to ss. 120.536(1) and 120.54 to implement the provisions of this section and may enforce the provisions of this section pursuant to s. 1008.32.

Section 16. Subsection (1) of section 1003.4281, Florida Statutes, is amended to read:

1003.4281 Early high school graduation.—

(1) The purpose of this section is to provide a student the option of early graduation if the student *earns* ~~has completed a minimum of 24 credits and meets the graduation requirements set forth in s. 1003.428 or s. 1003.4282, as applicable.~~ For purposes of this section, the term "early graduation" means graduation from high school in less than 8 semesters or the equivalent.

Section 17. Section 1003.4282, Florida Statutes, is created to read:

1003.4282 Requirements for a standard high school diploma.—

(1) *TWENTY-FOUR CREDITS REQUIRED.*—

(a) *Beginning with students entering grade 9 in the 2013-2014 school year, receipt of a standard high school diploma requires successful com-*

pletion of 24 credits, an International Baccalaureate curriculum, or an Advanced International Certificate of Education curriculum.

(b) The required credits may be earned through equivalent, applied, or integrated courses or career education courses as defined in s. 1003.01(4), including work-related internships approved by the State Board of Education and identified in the course code directory. However, any must-pass assessment requirements must be met. An equivalent course is one or more courses identified by content-area experts as being a match to the core curricular content of another course, based upon review of the Next Generation Sunshine State Standards for that subject. An applied course aligns with Next Generation Sunshine State Standards and includes real-world applications of a career and technical education standard used in business or industry. An integrated course includes content from several courses within a content area or across content areas.

(2) **NOTIFICATION REQUIREMENTS.**—The school district must notify students and parents, in writing, of the requirements for a standard high school diploma, available designations, and the eligibility requirements for state scholarship programs and postsecondary admissions. The Department of Education shall directly and through the school districts notify registered private schools of public high school course credit and assessment requirements. Each private school must make this information available to students and their parents so they are aware of public high school graduation requirements.

(3) **STANDARD HIGH SCHOOL DIPLOMA; COURSE AND ASSESSMENT REQUIREMENTS.**—

(a) **Four credits in English Language Arts (ELA).**—The four credits must be in ELA I, II, III, and IV. A student must pass 10th grade FCAT Reading until the state transitions to a common core 10th grade ELA assessment, after which time a student must pass the ELA assessment in order to earn a standard high school diploma.

(b) **Four credits in mathematics.**—A student must earn one credit in Algebra I and one credit in geometry. A student's performance on the Algebra I end-of-course (EOC) assessment or common core assessment, as applicable, constitutes 30 percent of the student's final course grade. A student must pass the Algebra I EOC assessment until the state transitions to a common core Algebra I assessment after which time a student must pass the common core assessment in order to earn a standard high school diploma. A student's performance on the Geometry EOC assessment or common core assessment, as applicable, constitutes 30 percent of the student's final course grade. When the state administers a common core Algebra II assessment, a student selecting Algebra II must take the assessment, and the student's performance on the assessment constitutes 30 percent of the student's final course grade. Industry certification courses that lead to college credit may substitute for up to two math credits.

(c) **Three credits in science.**—Two of the three required credits must have a laboratory component. A student must earn one credit in Biology I and two credits in equally rigorous courses. The Biology I EOC assessment constitutes 30 percent of the student's final course grade. Industry certification courses that lead to college credit may substitute for up to one science credit.

(d) **Three credits in social studies.**—A student must earn one credit in United States History; one credit in World History; one-half credit in economics, which must include financial literacy; and one-half credit in United States Government. The United States History EOC assessment constitutes 30 percent of the student's final course grade.

(e) **One credit in fine or performing arts, speech and debate, or practical arts.**—The practical arts course must incorporate artistic content and techniques of creativity, interpretation, and imagination. Eligible practical arts courses are identified in the Course Code Directory.

(f) **One credit in physical education.**—Physical education must include the integration of health. This requirement is subject to all of the provisions in s. 1003.428(2)(a)6.

(g) **Eight credits in electives.**—School districts must develop and offer coordinated electives so that a student may develop knowledge and skills in his or her area of interest, such as electives with a STEM or liberal arts focus. Such electives must include opportunities for students to earn college credit, including industry-certified career education programs or

series of career-themed courses that result in industry certification or articulate into the award of college credit, or career education courses for which there is a statewide or local articulation agreement and which lead to college credit.

(4) **ONLINE COURSE REQUIREMENT.**—Excluding a driver education course, at least one course within the 24 credits required under this section must be completed through online learning. A school district may not require a student to take the online course outside the school day or in addition to a student's courses for a given semester. An online course taken in grade 6, grade 7, or grade 8 fulfills this requirement. This requirement is met through an online course offered by the Florida Virtual School, a virtual education provider approved by the State Board of Education, a high school, or an online dual enrollment course. A student who is enrolled in a full-time or part-time virtual instruction program under s. 1002.45 meets this requirement. This requirement does not apply to a student who has an individual education plan under s. 1003.57 which indicates that an online course would be inappropriate or to an out-of-state transfer student who is enrolled in a Florida high school and has 1 academic year or less remaining in high school.

(5) **REMEDIATION FOR HIGH SCHOOL STUDENTS.**—

(a) Each year a student scores Level 1 or Level 2 on 9th grade or 10th grade FCAT Reading or, when implemented, 9th grade, 10th grade, or 11th grade common core English Language Arts (ELA) assessments, the student must be enrolled in and complete an intensive remedial course the following year or be placed in a content area course that includes remediation of skills not acquired by the student.

(b) Each year a student scores Level 1 or Level 2 on the Algebra I EOC assessment, or upon transition to the common core Algebra I assessment, the student must be enrolled in and complete an intensive remedial course the following year or be placed in a content area course that includes remediation of skills not acquired by the student.

(6) **GRADE FORGIVENESS POLICY.**—Each district school board shall adopt policies designed to assist students in meeting graduation requirements including grade forgiveness policies. Forgiveness policies for required courses shall be limited to replacing a grade of "D" or "F" with a grade of "C" or higher-earned subsequently in the same or comparable course. Forgiveness policies for elective courses shall be limited to replacing a grade of "D" or "F" with a grade of "C" or higher-earned subsequently in another course. The only exception to these forgiveness policies shall be made for a student in the middle grades who takes any high school course for high school credit and earns a grade of "C," "D," or "F". In such case, the district forgiveness policy must allow the replacement of the grade with a grade of "C" or higher earned subsequently in the same or comparable course. In all cases of grade forgiveness, only the new grade shall be used in the calculation of the student's grade point average. Any course grade not replaced according to a district school board forgiveness policy shall be included in the calculation of the cumulative grade point average required for graduation.

(7) **AWARD OF A STANDARD HIGH SCHOOL DIPLOMA.**—A student who earns a cumulative grade point average (GPA) of 2.0 on a 4.0 scale and meets the requirements of this section shall be awarded a standard high school diploma in a form prescribed by the State Board of Education. Notwithstanding any other law to the contrary, all students enrolled in high school as of the 2012-2013 school year who earned a passing grade in Biology I or geometry before the 2013-2014 school year shall be awarded a credit in that course if the student passed the course. The student's performance on the EOC assessment is not required to constitute 30 percent of the student's final course grade. A student who fails to earn the required credits or achieve a 2.0 GPA shall be awarded a certificate of completion in a form prescribed by the State Board of Education.

(8) **UNIFORM TRANSFER OF HIGH SCHOOL CREDITS.**—Beginning with the 2012-2013 school year, if a student transfers to a Florida public high school from out of country, out of state, a private school, or a home education program and the student's transcript shows a mathematics credit in a course that requires passage of a statewide, standardized assessment in order to earn a standard high school diploma, the student must pass the assessment unless the student earned a comparative score pursuant to s. 1008.22, passed a statewide assessment in that subject administered by the transferring entity, or passed the statewide assessment the transferring entity uses to satisfy the requirements of the

*Elementary and Secondary Education Act, 20 U.S.C. s. 6301. If a student's transcript shows a credit in high school reading or English Language Arts II or III, the student must take and pass grade 10 FCAT Reading or earn a concordant score on the SAT or ACT as specified by state board rule or, when the state transitions to common core English Language Arts assessments, earn a passing score on the English Language Arts assessment as required under this section.*

**(9) CAREER EDUCATION COURSES THAT SATISFY HIGH SCHOOL CREDIT REQUIREMENTS.—**

(a) Participation in career education courses engages students in their high school education, increases academic achievement, enhances employability, and increases postsecondary success. By July 1, 2014, the department shall develop, for approval by the State Board of Education, multiple, additional career education courses or a series of courses that meet the requirements set forth in s. 1003.493(2), (4), and (5) and this subsection and allow students to earn credit in both the career education course and courses required for high school graduation under this section and ss. 1003.428 and 1003.4281.

1. The state board must determine if sufficient academic standards are covered to warrant the award of academic credit.

2. Career education courses must include workforce and digital literacy skills and the integration of required course content with practical applications and designated rigorous coursework that results in one or more industry certifications or clearly articulated credit or advanced standing in a 2-year or 4-year certificate or degree program, which may include high school junior and senior year work-related internships or apprenticeships. The department shall negotiate state licenses for material and testing for industry certifications. The instructional methodology used in these courses must be comprised of authentic projects, problems, and activities for contextually learning the academics.

(b) Each school district should take the initiative to work with local workforce boards, local business and industry leaders, and postsecondary institutions to establish partnerships for the purpose of creating career education courses or a series of courses that meet the requirements set forth in s. 1003.493(2), (4), and (5) that students can take to earn required high school course credits. Emphasis should be placed on online course work and digital literacy. School districts must submit their recommended career education courses to the department for state board approval. School district-recommended career education courses must meet the same rigorous standards as department-developed career education courses in order to be approved by the state board. School districts participating in the development of rigorous career education courses will be able to better address local workforce needs and allow students the opportunity to acquire the knowledge and skills that are needed not only for academic advancement but also for employability purposes.

(c) Regional consortium service organizations established pursuant to s. 1001.451 shall work with school districts, local workforce boards, postsecondary institutions, and local business and industry leaders to create career education courses that meet the requirements set forth in s. 1003.493(2), (4), and (5) and this subsection that students can take to earn required high school course credits. The regional consortium shall submit course recommendations to the department, on behalf of the consortium member districts, for state board approval. A strong emphasis should be placed on online course work, digital literacy, and workforce literacy as defined in s. 1004.02(27). For purposes of providing students the opportunity to earn industry certifications, consortiums must secure the necessary site licenses and testing contracts for use by member districts.

(10) **RULES.**—The State Board of Education shall adopt rules to implement this section.

Section 18. Section 1003.4285, Florida Statutes, is amended to read:

1003.4285 Standard high school diploma designations.—

(1) Each standard high school diploma shall include, as applicable, the following designations if the student meets the criteria set forth for the designation:

(a) *Scholar designation.*—In addition to the requirements of ss. 1003.428 and 1003.4282, as applicable, in order to earn the Scholar designation, a student must satisfy the following requirements:

1. *English Language Arts (ELA).*—When the state transitions to common core assessments, pass the 11th grade ELA common core assessment.

2. *Mathematics.*—Earn one credit in Algebra II and one credit in statistics or an equally rigorous course. When the state transitions to common core assessments, students must pass the Algebra II common core assessment.

3. *Science.*—Pass the statewide, standardized Biology I end-of-course assessment and earn one credit in chemistry or physics and one credit in a course equally rigorous to chemistry or physics.

4. *Social studies.*—Pass the statewide, standardized United States History end-of-course assessment.

5. *Foreign language.*—Earn two credits in the same foreign language.

6. *Electives.*—Earn at least one credit in an Advanced Placement, an International Baccalaureate, an Advanced International Certificate of Education, or a dual enrollment course.

(b) *Merit designation.*—In addition to the requirements of ss. 1003.428 and 1003.4282, as applicable, in order to earn the Merit designation, a student must attain one or more industry certifications from the list established under s. 1003.492.

(2) Students and parents shall be provided information about diploma designations through an online education and career planning tool, which allows students to monitor their progress toward the attainment of each designation.

(3) The State Board of Education may make recommendations to the Legislature regarding the establishment of additional designations.

~~(1) A designation of the student's major area of interest pursuant to the student's completion of credits as provided in s. 1003.428.~~

~~(2) A designation reflecting completion of four or more accelerated college credit courses if the student is eligible for college credit pursuant to s. 1007.27 or s. 1007.271 in Advanced Placement, International Baccalaureate, Advanced International Certificate of Education, or dual enrollment courses. The Commissioner of Education shall establish guidelines for successful passage of examinations or coursework in each of the accelerated college credit options for purposes of this subsection.~~

~~(3) A designation reflecting the attainment of one or more industry certifications from the list approved by Workforce Florida, Inc., under s. 1003.492.~~

~~(4) A designation reflecting a Florida Ready to Work Credential in accordance with s. 445.06.~~

Section 19. Section 1003.4286, Florida Statutes, is created to read:

1003.4286 Award of standard high school diplomas to honorably discharged veterans.—Pursuant to rules adopted by the State Board of Education in consultation with the Department of Military Affairs, the Commissioner of Education may award a standard high school diploma to an honorably discharged veteran who has not completed high school graduation requirements.

Section 20. Section 1003.429, Florida Statutes, is repealed.

Section 21. Subsections (1) and (3) of section 1003.4295, Florida Statutes, are amended to read:

1003.4295 Acceleration options.—

(1) Each high school shall advise each student of courses ~~programs~~ through which a high school student can earn college credit, including Advanced Placement, International Baccalaureate, Advanced International Certificate of Education, dual enrollment, ~~and~~ early admission ~~courses~~, and career academy courses; and courses that lead to ~~national~~ industry certification, as well as the availability of course offerings through virtual instruction. Students shall also be advised of the early ~~and accelerated~~ graduation options under s. ~~ss.~~ 1003.4281 and 1003.429.



(3) The Credit Acceleration Program (CAP) is created for the purpose of allowing a student to earn high school credit in *Algebra I*, *Algebra II*, *geometry*, *United States history*, or *biology* ~~a course that requires a statewide, standardized end-of-course assessment~~ if the student ~~passes the statewide, standardized assessment administered under s. 1008.22~~ ~~attains a specified score on the assessment~~. Notwithstanding s. 1003.436, a school district shall award course credit to a student who is not enrolled in the course, or who has not completed the course, if the student attains a passing score on the corresponding statewide, standardized ~~end-of-course~~ assessment. The school district shall permit a student who is not enrolled in the course, or who has not completed the course, to take the ~~standardized end-of-course~~ assessment during the regular administration of the assessment.

Section 22. *Section 1003.43, Florida Statutes, is repealed.*

Section 23. Section 1003.433, Florida Statutes, is amended to read:

1003.433 Learning opportunities for out-of-state and out-of-country transfer students and students needing additional instruction to meet high school graduation requirements.—

(1) Students who enter a Florida public school at the eleventh or twelfth grade from out of state or ~~out of from a foreign~~ country shall not be required to spend additional time in a Florida public school in order to meet the high school course requirements if the student has met all requirements of the school district, state, or country from which he or she is transferring. Such students who are not proficient in English should receive immediate and intensive instruction in English language acquisition. However, to receive a standard high school diploma, a transfer student must earn a 2.0 grade point average and ~~meet the requirements under s. 1008.22~~ ~~pass the grade 10 FCAT required in s. 1008.22(3) or an alternate assessment as described in s. 1008.22(10).~~

(2) Students who ~~earn the required 24 credits have met all requirements~~ for the standard high school diploma except for passage of *any must-pass assessment under s. 1003.4282 or s. 1008.22* ~~the grade 10 FCAT or an alternate assessment by the end of grade 12 must be provided the following learning opportunities:~~

(a) Participation in an accelerated high school equivalency diploma preparation program during the summer.

(b) Upon receipt of a certificate of completion, be allowed to take the College Placement Test and be admitted to remedial or credit courses at a Florida College System institution, as appropriate.

(c) Participation in an adult general education program as provided in s. 1004.93 for such time as the student requires to master English, reading, mathematics, or any other subject required for high school graduation. ~~Students attending adult basic, adult secondary, or vocational preparatory instruction are exempt from any requirement for the payment of tuition and fees, including lab fees, pursuant to s. 1009.25.~~ A student attending an adult general education program shall have the opportunity to take *any must-pass assessment under s. 1003.4282 or s. 1008.22* ~~the grade 10 FCAT~~ an unlimited number of times in order to receive a standard high school diploma.

(3) Students who have been enrolled in an ESOL program for less than 2 school years and have met all requirements for the standard high school diploma except for passage of *any must-pass assessment under s. 1003.4282 or s. 1008.22* ~~the grade 10 FCAT~~ or alternate assessment may receive immersion English language instruction during the summer following their senior year. Students receiving such instruction are eligible to take the ~~required assessment~~ ~~FCAT~~ or alternate assessment and receive a standard high school diploma upon passage of the *required assessment* ~~grade 10 FCAT~~ or the alternate assessment. This subsection shall be implemented to the extent funding is provided in the General Appropriations Act.

~~(4) The district school superintendent shall be responsible for notifying all students of the consequences of failure to receive a standard high school diploma, including the potential ineligibility for financial assistance at postsecondary educational institutions.~~

~~(4)(5)~~ The State Board of Education may adopt rules pursuant to ss. 120.536(1) and 120.54 to administer this section.

Section 24. Subsection (6) of section 1003.435, Florida Statutes, is amended to read:

1003.435 High school equivalency diploma program.—

~~(6)(a)~~ All high school equivalency diplomas issued under the provisions of this section shall have equal status with other high school diplomas for all state purposes, including admission to any state university or Florida College System institution.

~~(b) The State Board of Education shall adopt rules providing for the award of a standard high school diploma to holders of high school equivalency diplomas who are assessed as meeting designated criteria, and the commissioner shall establish procedures for administering the assessment.~~

Section 25. Paragraph (a) of subsection (1) of section 1003.436, Florida Statutes, is amended to read:

1003.436 Definition of “credit”.—

(1)(a) For the purposes of requirements for high school graduation, one full credit means a minimum of 135 hours of bona fide instruction in a designated course of study that contains student performance standards, *except as otherwise provided through the Credit Acceleration Program (CAP) under s. 1003.4295(3).* One full credit means a minimum of 120 hours of bona fide instruction in a designated course of study that contains student performance standards for purposes of meeting high school graduation requirements in a district school that has been authorized to implement block scheduling by the district school board. The State Board of Education shall determine the number of postsecondary credit hours earned through dual enrollment pursuant to s. 1007.271 that satisfy the requirements of a dual enrollment articulation agreement according to s. 1007.271(21) and that equal one full credit of the equivalent high school course identified pursuant to s. 1007.271(9).

Section 26. Section 1003.438, Florida Statutes, is amended to read:

1003.438 Special high school graduation requirements for certain exceptional students.—A student who has been identified, in accordance with rules established by the State Board of Education, as a student with disabilities who has an intellectual disability; an autism spectrum disorder; a language impairment; an orthopedic impairment; another health impairment; a traumatic brain injury; an emotional or behavioral disability; a specific learning disability, including, but not limited to, dyslexia, dyscalculia, or developmental aphasia; or students who are deaf or hard of hearing or dual sensory impaired shall not be required to meet all requirements of ~~s. 1003.43 or s. 1003.428 or s. 1003.4282~~ and shall, upon meeting all applicable requirements prescribed by the district school board pursuant to s. 1008.25, be awarded a special diploma in a form prescribed by the commissioner; however, such special graduation requirements prescribed by the district school board must include minimum graduation requirements as prescribed by the commissioner. Any such student who meets all special requirements of the district school board, but is unable to meet the appropriate special state minimum requirements, shall be awarded a special certificate of completion in a form prescribed by the commissioner. However, this section does not limit or restrict the right of an exceptional student solely to a special diploma or special certificate of completion. Any such student shall, upon proper request, be afforded the opportunity to fully meet all requirements of ~~s. 1003.43 or s. 1003.428 or s. 1003.4282~~ through the standard procedures established therein and thereby to qualify for a standard diploma upon graduation.

Section 27. Paragraphs (e) and (f) of subsection (3) of section 1003.491, Florida Statutes, are amended to read:

1003.491 Florida Career and Professional Education Act.—The Florida Career and Professional Education Act is created to provide a statewide planning partnership between the business and education communities in order to attract, expand, and retain targeted, high-value industry and to sustain a strong, knowledge-based economy.

(3) The strategic 3-year plan developed jointly by the local school district, regional workforce boards, economic development agencies, and state-approved postsecondary institutions shall be constructed and based on:



(e) Strategies to provide personalized student advisement, including a parent-participation component, and coordination with middle *grades schools* to promote and support career-themed courses and education planning as required under s. 1003.4156;

(f) Alignment of requirements for middle school career planning under s. ~~1003.4156(1)(e)~~ ~~1003.4156(1)(a)5~~, middle and high school career and professional academies or career-themed courses leading to industry certification or postsecondary credit, and high school graduation requirements;

Section 28. Section 1003.4935, Florida Statutes, is amended to read:

1003.4935 Middle *grades school* career and professional academy courses and career-themed courses.—

(1) Beginning with the 2011-2012 school year, each district school board, in collaboration with regional workforce boards, economic development agencies, and state-approved postsecondary institutions, shall include plans to implement a career and professional academy or a career-themed course, as defined in s. 1003.493(1)(b), in at least one middle school in the district as part of the strategic 3-year plan pursuant to s. 1003.491(2). The strategic plan must provide students the opportunity to transfer from a middle school career and professional academy or a career-themed course to a high school career and professional academy or a career-themed course currently operating within the school district. Students who complete a middle school career and professional academy or a career-themed course must have the opportunity to earn an industry certificate and high school credit and participate in career planning, job shadowing, and business leadership development activities.

(2) Each middle *grades school* career and professional academy or career-themed course must be aligned with at least one high school career and professional academy or career-themed course offered in the district and maintain partnerships with local business and industry and economic development boards. Middle *grades school* career and professional academies and career-themed courses must:

(a) Lead to careers in occupations designated as high-skill, high-wage, and high-demand in the Industry Certification Funding List approved under rules adopted by the State Board of Education;

(b) Integrate content from core subject areas;

(c) Integrate career and professional academy or career-themed course content with intensive reading, *English Language Arts*, and mathematics pursuant to ss. ~~§~~ 1003.428 and 1003.4282;

(d) Coordinate with high schools to maximize opportunities for middle *grades school* students to earn high school credit;

(e) Provide access to virtual instruction courses provided by virtual education providers legislatively authorized to provide part-time instruction to middle *grades school* students. The virtual instruction courses must be aligned to state curriculum standards for middle *grades school* career and professional academy courses or career-themed courses, with priority given to students who have required course deficits;

(f) Provide instruction from highly skilled professionals who hold industry certificates in the career area in which they teach;

(g) Offer externships; and

(h) Provide personalized student advisement that includes a parent-participation component.

(3) Beginning with the 2012-2013 school year, if a school district implements a middle school career and professional academy or a career-themed course, the Department of Education shall collect and report student achievement data pursuant to performance factors identified under s. 1003.492(3) for students enrolled in an academy or a career-themed course.

~~(4) The State Board of Education shall adopt rules to identify industry certifications in science, technology, engineering, and mathematics offered in middle school to be included on the Industry Certified Funding List and which are eligible for additional full-time equivalent membership under s. 1011.62(1).~~

Section 29. Paragraph (c) of subsection (3) of section 1003.51, Florida Statutes, is amended to read:

1003.51 Other public educational services.—

(3) The Department of Education in partnership with the Department of Juvenile Justice, the district school boards, and providers shall:

(c) Maintain standardized required content of education records to be included as part of a youth's commitment record. These requirements shall reflect the policy and standards adopted pursuant to subsection (2) and shall include, but not be limited to, the following:

1. A copy of the student's individual educational plan.

2. ~~Assessment Data on student performance on assessments, including grade-level proficiency in reading, writing, and mathematics, and performance on tests taken according to s. 1008.22.~~

3. A copy of the student's permanent cumulative record.

4. A copy of the student's academic transcript.

5. A portfolio reflecting the youth's academic accomplishments while in the Department of Juvenile Justice program.

Section 30. Subsection (4) of section 1003.621, Florida Statutes, is amended to read:

1003.621 Academically high-performing school districts.—It is the intent of the Legislature to recognize and reward school districts that demonstrate the ability to consistently maintain or improve their high-performing status. The purpose of this section is to provide high-performing school districts with flexibility in meeting the specific requirements in statute and rules of the State Board of Education.

(4) REPORTS.—The academically high-performing school district shall submit to the State Board of Education and the Legislature an annual report on December 1 which delineates the performance of the school district relative to the academic performance of students at each grade level in reading, writing, mathematics, science, and any other subject that is included as a part of the statewide assessment program in s. 1008.22. The annual report shall be submitted in a format prescribed by the Department of Education and shall include, ~~but need not be limited to, the following:~~

(a) Longitudinal performance of students ~~on in mathematics, reading, writing, science, and any other subject that is included as a part of the statewide, standardized assessments taken under assessment program in~~ s. 1008.22;

(b) Longitudinal performance of students by grade level and subgroup ~~on in mathematics, reading, writing, science, and any other subject that is included as a part of the statewide, standardized assessments taken under assessment program in~~ s. 1008.22;

(c) Longitudinal performance regarding efforts to close the achievement gap;

(d)1. Number and percentage of students who take an Advanced Placement Examination; and

2. Longitudinal performance regarding students who take an Advanced Placement Examination by demographic group, specifically by age, gender, race, and Hispanic origin, and by participation in the National School Lunch Program;

(e) Evidence of compliance with subsection (1); and

(f) A description of each waiver and the status of each waiver.

Section 31. Subsection (1) of section 1004.935, Florida Statutes, is amended to read:

1004.935 Adults with Disabilities Workforce Education Pilot Program.—

(1) The Adults with Disabilities Workforce Education Pilot Program is established in the Department of Education for 2 years in Hardee, DeSoto, Manatee, and Sarasota Counties to provide the option of re-

ceiving a scholarship for instruction at private schools for up to 30 students who:

- (a) Have a disability;
- (b) Are 22 years of age;
- (c) Are receiving instruction from an instructor in a private school to meet the high school graduation requirements in s. 1003.428 or s. 1003.4282;
- (d) Do not have a standard high school diploma or a special high school diploma; and
- (e) Receive “supported employment services,” which means employment that is located or provided in an integrated work setting with earnings paid on a commensurate wage basis and for which continued support is needed for job maintenance.

As used in this section, the term “student with a disability” includes a student who is documented as having an intellectual disability; a speech impairment; a language impairment; a hearing impairment, including deafness; a visual impairment, including blindness; a dual sensory impairment; an orthopedic impairment; another health impairment; an emotional or behavioral disability; a specific learning disability, including, but not limited to, dyslexia, dyscalculia, or developmental aphasia; a traumatic brain injury; a developmental delay; or autism spectrum disorder.

Section 32. Subsections (2), (7), (9), and (11) of section 1007.271, Florida Statutes, are amended to read:

1007.271 Dual enrollment programs.—

(2) For the purpose of this section, an eligible secondary student is a student who is enrolled in a Florida public secondary school or in a Florida private secondary school which is in compliance with s. 1002.42(2) and provides a secondary curriculum pursuant to s. 1003.428 or s. 1003.4282, ~~s. 1003.429, or s. 1003.43~~. Students who are eligible for dual enrollment pursuant to this section may enroll in dual enrollment courses conducted during school hours, after school hours, and during the summer term. However, if the student is projected to graduate from high school before the scheduled completion date of a postsecondary course, the student may not register for that course through dual enrollment. The student may apply to the postsecondary institution and pay the required registration, tuition, and fees if the student meets the postsecondary institution's admissions requirements under s. 1007.263. Instructional time for dual enrollment may vary from 900 hours; however, the school district may only report the student for a maximum of 1.0 FTE, as provided in s. 1011.61(4). Any student enrolled as a dual enrollment student is exempt from the payment of registration, tuition, and laboratory fees. ~~Applied academics for adult education Vocational preparatory~~ instruction, college-preparatory instruction, and other forms of precollegiate instruction, as well as physical education courses that focus on the physical execution of a skill rather than the intellectual attributes of the activity, are ineligible for inclusion in the dual enrollment program. Recreation and leisure studies courses shall be evaluated individually in the same manner as physical education courses for potential inclusion in the program.

(7) Career dual enrollment shall be provided as a curricular option for secondary students to pursue in order to earn *industry certifications adopted pursuant to s. 1008.44, which count as a series of elective credits* toward the high school diploma. Career dual enrollment shall be available for secondary students seeking a degree and *industry certification through or certificate from a career education complete career preparatory* program or course and may not be used to enroll students in ~~isolated career courses~~.

(9) The Commissioner of Education shall appoint faculty committees representing public school, Florida College System institution, and university faculties to identify postsecondary courses that meet the high school graduation requirements of s. 1003.428 or s. 1003.4282, ~~s. 1003.429, or s. 1003.43~~ and to establish the number of postsecondary semester credit hours of instruction and equivalent high school credits earned through dual enrollment pursuant to this section that are necessary to meet high school graduation requirements. Such equivalencies shall be determined solely on comparable course content and

not on seat time traditionally allocated to such courses in high school. The Commissioner of Education shall recommend to the State Board of Education those postsecondary courses identified to meet high school graduation requirements, based on mastery of course outcomes, by their course numbers, and all high schools shall accept these postsecondary education courses toward meeting the requirements of s. 1003.428 or s. 1003.4282, ~~s. 1003.429, or s. 1003.43~~.

(11) Career early admission is a form of career dual enrollment through which eligible secondary students enroll full time in a career center or a Florida College System institution in *postsecondary programs leading to industry certifications, as listed in the Postsecondary Industry Certification Funding List pursuant to s. 1008.44, which* ~~courses that~~ are creditable toward the high school diploma and the certificate or associate degree. Participation in the career early admission program is limited to students who have completed a minimum of 4 6 semesters of full-time secondary enrollment, including studies undertaken in the ninth grade. Students enrolled pursuant to this section are exempt from the payment of registration, tuition, and laboratory fees.

Section 33. Section 1008.22, Florida Statutes, is amended to read:

*(Substantial rewording of section. See*

*s. 1008.22, F.S., for present text.)*

1008.22 Student assessment program for public schools.—

(1) **PURPOSE.**—*The primary purpose of the student assessment program is to provide student academic achievement and learning gains data to students, parents, teachers, school administrators, and school district staff. This data is to be used by districts to improve instruction; by students, parents, and teachers to guide learning objectives; by education researchers to assess national and international education comparison data; and by the public to assess the cost benefit of the expenditure of taxpayer dollars. The program must be designed to:*

(a) *Assess the achievement level and annual learning gains of each student in English Language Arts and mathematics and the achievement level in all other subjects assessed.*

(b) *Provide data for making decisions regarding school accountability, recognition, and improvement of operations and management, including schools operating for the purpose of providing educational services to youth in Department of Juvenile Justice programs.*

(c) *Identify the educational strengths and needs of students and the readiness of students to be promoted to the next grade level or to graduate from high school.*

(d) *Assess how well educational goals and curricular standards are met at the school, district, state, national, and international levels.*

(e) *Provide information to aid in the evaluation and development of educational programs and policies.*

(2) **NATIONAL AND INTERNATIONAL EDUCATION COMPARISONS.**—*Florida school districts shall participate in the administration of the National Assessment of Educational Progress, or similar national or international assessments, both for the national sample and for any state-by-state comparison programs that may be initiated, as directed by the commissioner. The assessments must be conducted using the data collection procedures, student surveys, educator surveys, and other instruments included in the National Assessment of Educational Progress or similar national or international assessments being administered in Florida. The administration of such assessments shall be in addition to and separate from the administration of the statewide, standardized assessments.*

(3) **STATEWIDE, STANDARDIZED ASSESSMENT PROGRAM.**—*The Commissioner of Education shall design and implement a statewide, standardized assessment program aligned to the core curricular content established in the Next Generation Sunshine State Standards. The commissioner also must develop or select and implement a common battery of assessment tools that will be used in all juvenile justice education programs in the state. These tools must accurately measure the core curricular content established in the Next Generation Sunshine State Standards. Participation in the assessment program is mandatory for all school districts and all students attending public schools, including stu-*

dents seeking an adult high school diploma and students in Department of Juvenile Justice education programs, except as otherwise prescribed by the commissioner. If a student does not participate in the assessment program, the school district must notify the student's parent and provide the parent with information regarding the implications of such non-participation. The statewide, standardized assessment program shall be designed and implemented as follows:

(a) *Florida Comprehensive Assessment Test (FCAT) until replaced by common core assessments.*—FCAT Reading shall be administered annually in grades 3 through 10; FCAT Mathematics shall be administered annually in grades 3 through 8; FCAT Writing shall be administered annually at least once at the elementary, middle, and high school levels; and FCAT Science shall be administered annually at least once at the elementary and middle grades levels. A student who has not earned a passing score on grade 10 FCAT Reading must participate in each retake of the assessment until the student earns a passing score. The commissioner shall recommend and the State Board of Education must adopt a score on both the SAT and ACT that is concordant to a passing score on grade 10 FCAT Reading that, if achieved by a student, meets the must-pass requirement for grade 10 FCAT Reading.

(b) *End-of-course (EOC) assessments.*—EOC assessments must be statewide, standardized, and developed or approved by the Department of Education as follows:

1. *Statewide, standardized EOC assessments in mathematics shall be administered according to this subparagraph. Beginning with the 2010-2011 school year, all students enrolled in Algebra I must take the Algebra I EOC assessment. Except as otherwise provided in this section, beginning with students entering grade 9 in the 2011-2012 school year, a student who is enrolled in Algebra I must earn a passing score on the Algebra I EOC assessment or attain a comparative score as authorized under subsection (8) in order to earn a standard high school diploma. A student who has not earned a passing score on the Algebra I EOC assessment must participate in each retake of the assessment until the student earns a passing score. Beginning with the 2011-2012 school year, all students enrolled in geometry must take the Geometry EOC assessment. Middle grades students enrolled in Algebra I or geometry must take the statewide, standardized EOC assessment for those courses and are not required to take the corresponding grade-level FCAT.*

2. *Statewide, standardized EOC assessments in science shall be administered according to this subparagraph. Beginning with the 2011-2012 school year, all students enrolled in Biology I must take the Biology I EOC assessment.*

3. *During the 2012-2013 school year, an EOC assessment in civics education shall be administered as a field test at the middle grades level. Beginning with the 2013-2014 school year, each student's performance on the statewide, standardized EOC assessment in civics education constitutes 30 percent of the student's final course grade.*

4. *The commissioner may select one or more nationally developed comprehensive examinations, which may include examinations for a College Board Advanced Placement course, International Baccalaureate course, or Advanced International Certificate of Education course, or industry-approved examinations to earn national industry certifications identified in the Industry Certification Funding List, for use as EOC assessments under this paragraph if the commissioner determines that the content knowledge and skills assessed by the examinations meet or exceed the grade-level expectations for the core curricular content established for the course in the Next Generation Sunshine State Standards. Use of any such examination as an EOC assessment must be approved by the state board.*

5. *Contingent upon funding provided in the General Appropriations Act, including the appropriation of funds received through federal grants, the commissioner may establish an implementation schedule for the development and administration of additional statewide, standardized EOC assessments that must be approved by the state board. If approved by the state board, student performance on such assessments constitutes 30 percent of a student's final course grade.*

6. *All statewide, standardized EOC assessments must be administered online except as otherwise provided in paragraph (c).*

(c) *Students with disabilities; Florida Alternate Assessment.*—

1. *Each district school board must provide instruction to prepare students with disabilities in the core content knowledge and skills necessary for successful grade-to-grade progression and high school graduation.*

2. *A student with a disability, as defined in s. 1007.02(2), for whom the individual education plan (IEP) team determines that the statewide, standardized assessments under this section cannot accurately measure the student's abilities, taking into consideration all allowable accommodations, shall have assessment results waived for the purpose of receiving a course grade and a standard high school diploma. Such waiver shall be designated on the student's transcript.*

3. *The State Board of Education shall adopt rules, based upon recommendations of the commissioner, for the provision of assessment accommodations for students with disabilities and for students who have limited English proficiency.*

a. *Accommodations that negate the validity of a statewide, standardized assessment are not allowed during the administration of the assessment. However, instructional accommodations are allowed in the classroom if identified in a student's IEP. Students using instructional accommodations in the classroom that are not allowed on a statewide, standardized assessment may have assessment results waived if the IEP team determines that the assessment cannot accurately measure the student's abilities.*

b. *If a student is provided with instructional accommodations in the classroom that are not allowed as accommodations for statewide, standardized assessments, the district must inform the parent in writing and provide the parent with information regarding the impact on the student's ability to meet expected performance levels. A parent must provide signed consent for a student to receive classroom instructional accommodations that would not be available or permitted on a statewide, standardized assessment and acknowledge in writing that he or she understands the implications of such instructional accommodations.*

c. *If a student's IEP states that online administration of a statewide, standardized assessment will significantly impair the student's ability to perform, the assessment shall be administered in hard copy.*

4. *For students with significant cognitive disabilities, the Department of Education shall provide for implementation of the Florida Alternate Assessment to accurately measure the core curricular content established in the Next Generation Sunshine State Standards.*

(d) *Common core assessments in English Language Arts (ELA) and mathematics.*—

1. *Contingent upon funding, common core assessments in ELA shall be administered to students in grades 3 through 11. Retake opportunities for the grade 10 assessment must be provided. Students taking the ELA assessments are not required to take the assessments in FCAT Reading or FCAT Writing. Common core ELA assessments shall be administered online.*

2. *Contingent upon funding, common core assessments in mathematics shall be administered to all students in grades 3 through 8, and common core assessments in Algebra I, geometry, and Algebra II shall be administered to students enrolled in those courses. Retake opportunities must be provided for the Algebra I assessment. Students may take the common core mathematics assessments pursuant to the Credit Acceleration Program (CAP) under s. 1003.4295(3). Students taking common core assessments in mathematics are not required to take FCAT Mathematics or statewide, standardized EOC assessments in mathematics. Common core mathematics assessments shall be administered online.*

3. *The State Board of Education shall adopt rules establishing an implementation schedule to transition from FCAT Reading, FCAT Writing, FCAT Mathematics, and Algebra I and Geometry EOC assessments to common core assessments in English Language Arts and mathematics. The schedule must take into consideration funding, sufficient field and baseline data, access to assessments, instructional alignment, and school district readiness to administer the common core assessments online. Until the 10th grade common core ELA and Algebra I assessments become must-pass assessments, students must pass 10th grade FCAT Reading and the Algebra I EOC assessment, or achieve a concordant or comparative score as authorized under this section, in*

order to earn a standard high school diploma under s. 1003.4282. Students taking 10th grade FCAT Reading or the Algebra I EOC assessment are not required to take the respective common core assessments.

4. The Department of Education shall publish minimum and recommended technology requirements that include specifications for hardware, software, networking, security, and broadband capacity to facilitate school district compliance with the requirement that common core assessments be administered online.

(e) Assessment scores and achievement levels.—

1. All statewide, standardized EOC assessments and FCAT Reading, FCAT Writing, and FCAT Science shall use scaled scores and achievement levels. Achievement levels shall range from 1 through 5, with level 1 being the lowest achievement level, level 5 being the highest achievement level, and level 3 indicating satisfactory performance on an assessment. For purposes of FCAT Writing, student achievement shall be scored using a scale of 1 through 6.

2. The state board shall designate by rule a passing score for each statewide, standardized EOC and FCAT assessment. In addition, the state board shall designate a score for each statewide, standardized EOC assessment that indicates that a student is high achieving and has the potential to meet college-readiness standards by the time the student graduates from high school.

3. If the commissioner seeks to revise a statewide, standardized assessment and the revisions require the state board to modify performance level scores, including the passing score, the commissioner shall provide a copy of the proposed scores and implementation plan to the President of the Senate and the Speaker of the House of Representatives at least 90 days before submission to the state board for review. Until the state board adopts the modifications by rule, the commissioner shall use calculations for scoring the assessment that adjust student scores on the revised assessment for statistical equivalence to student scores on the former assessment. The state board shall adopt by rule the passing score for the revised assessment that is statistically equivalent to the passing score on the discontinued assessment for a student who is required to attain a passing score on the discontinued assessment. The commissioner may, with approval of the state board, discontinue administration of the former assessment upon the graduation, based on normal student progression, of students participating in the final regular administration of the former assessment. If the commissioner revises a statewide, standardized assessment and the revisions require the state board to modify the passing score, only students taking the assessment for the first time after the rule is adopted are affected.

(f) Assessment schedules and reporting of results.—The Commissioner of Education shall establish schedules for the administration of assessments and the reporting of student assessment results. The commissioner shall consider the observance of religious and school holidays when developing the schedule. By August 1 of each year, the commissioner shall notify each school district in writing and publish on the department's website the assessment and reporting schedules for, at a minimum, the school year following the upcoming school year. The assessment and reporting schedules must provide the earliest possible reporting of student assessment results to the school districts. Assessment results for FCAT Reading and FCAT Mathematics must be made available no later than the week of June 8. The administration of FCAT Writing and the Florida Alternate Assessment may be no earlier than the week of March 1. School districts shall administer assessments in accordance with the schedule established by the commissioner.

(g) Prohibited activities.—A district school board shall prohibit each public school from suspending a regular program of curricula for purposes of administering practice assessments or engaging in other assessment-preparation activities for a statewide, standardized assessment. However, a district school board may authorize a public school to engage in the following assessment-preparation activities:

1. Distributing to students sample assessment books and answer keys published by the Department of Education.

2. Providing individualized instruction in assessment-taking strategies, without suspending the school's regular program of curricula, for a student who scores Level 1 or Level 2 on a prior administration of an assessment.

3. Providing individualized instruction in the content knowledge and skills assessed, without suspending the school's regular program of curricula, for a student who scores Level 1 or Level 2 on a prior administration of an assessment or a student who, through a diagnostic assessment administered by the school district, is identified as having a deficiency in the content knowledge and skills assessed.

4. Administering a practice assessment or engaging in other assessment-preparation activities that are determined necessary to familiarize students with the organization of the assessment, the format of assessment items, and the assessment directions or that are otherwise necessary for the valid and reliable administration of the assessment, as set forth in rules adopted by the State Board of Education with specific reference to this paragraph.

(h) Contracts for assessments.—The commissioner shall provide for the assessments to be developed or obtained, as appropriate, through contracts and project agreements with private vendors, public vendors, public agencies, postsecondary educational institutions, or school districts. The commissioner may enter into contracts for the continued administration of the assessments authorized and funded by the Legislature. Contracts may be initiated in 1 fiscal year and continue into the next fiscal year and may be paid from the appropriations of either or both fiscal years. The commissioner may negotiate for the sale or lease of tests, scoring protocols, test scoring services, and related materials developed pursuant to law.

(4) SCHOOL ASSESSMENT PROGRAMS.—Each public school shall participate in the statewide, standardized assessment program in accordance with the assessment and reporting schedules and the minimum and recommended technology requirements published by the Commissioner of Education. District school boards shall not establish school calendars that conflict with or jeopardize implementation of the assessment program. All district school boards shall report assessment results as required by the state management information system. Performance data shall be analyzed and reported to parents, the community, and the state. Student performance data shall be used by districts in developing objectives for the school improvement plan, evaluating instructional personnel and administrative personnel, assigning staff, allocating resources, acquiring instructional materials and technology, implementing performance-based budgeting, and promoting and assigning students to educational programs. The analysis of student performance data must also identify strengths and needs in the educational program and trends over time. The analysis must be used in conjunction with the budgetary planning processes developed pursuant to s. 1008.385 and the development of remediation programs.

(5) REQUIRED ANALYSES.—The commissioner shall provide, at a minimum, statewide, standardized assessment data analysis showing student achievement levels and learning gains by teacher, school, and school district.

(6) LOCAL ASSESSMENTS.—

(a) Measurement of student learning gains in all subjects and grade levels, except those subjects and grade levels measured under the statewide, standardized assessment program described in this section, is the responsibility of the school districts.

(b) Beginning with the 2014-2015 school year, each school district shall administer for each course offered in the district a student assessment that measures mastery of the content, as described in the state-adopted course description, at the necessary level of rigor for the course. Such assessments may include:

1. Statewide assessments.

2. Other standardized assessments, including nationally recognized standardized assessments.

3. Industry certification examinations.

4. District-developed or district-selected end-of-course assessments.

(c) The Commissioner of Education shall identify methods to assist and support districts in the development and acquisition of assessments required under this subsection. Methods may include developing item banks, facilitating the sharing of developed tests among school districts, acquiring assessments from state and national curriculum-area organi-

zations, and providing technical assistance in best professional practices of test development based upon state-adopted curriculum standards, administration, and security.

(7) **CONCORDANT SCORES FOR 10TH GRADE FCAT READING.**—Until the state transitions to common core English Language Arts assessments, the Commissioner of Education must identify scores on the SAT and ACT that if achieved satisfy the graduation requirement that a student pass 10th grade FCAT Reading. The commissioner may identify concordant scores on other assessments as well. If the content or scoring procedures change for 10th grade FCAT Reading, new concordant scores must be determined. If new concordant scores are not timely adopted, the last-adopted concordant scores remain in effect until such time as new scores are adopted. The state board shall adopt concordant scores in rule.

(8) **COMPARATIVE SCORES FOR END-OF-COURSE (EOC) ASSESSMENTS.**—The Commissioner of Education must identify one or more comparative scores for the Algebra I EOC assessment and may identify comparative scores for the other EOC assessments. If the content or scoring procedures change for the EOC assessments, new comparative scores must be determined. If new comparative scores are not timely adopted, the last-adopted comparative scores remain in effect until such time as new scores are adopted. The state board shall adopt comparative scores in rule.

(9) **REPORTS.**—The Department of Education shall annually provide a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives which shall include the following:

(a) Longitudinal performance of students in reading and mathematics.

(b) Longitudinal performance of students by grade level in reading and mathematics.

(c) Longitudinal performance regarding efforts to close the achievement gap.

(d) Other student performance data based on national norm-referenced and criterion-referenced tests, if available; national assessments, such as the National Assessment of Educational Progress; and international assessments.

(e) The number of students who after 8th grade enroll in adult education rather than other secondary education.

(f) Any plan or intent to establish or implement new statewide, standardized assessments.

(10) **RULES.**—The State Board of Education shall adopt rules to implement this section.

Section 34. Paragraph (f) of subsection (2), paragraphs (a) and (b) of subsection (4), paragraphs (a) and (b) of subsection (5), paragraph (b) of subsection (6), subsection (7), and subsection (8) of section 1008.25, Florida Statutes, are amended, and paragraph (h) is added to subsection (2) of that section, to read:

1008.25 Public school student progression; remedial instruction; reporting requirements.—

(2) **COMPREHENSIVE STUDENT PROGRESSION PLAN.**—Each district school board shall establish a comprehensive plan for student progression which must:

(f) Advise parents and students of the early and accelerated graduation options under s. ss. 1003.4281 and 1003.429.

(h) Provide instructional sequences by which students in kindergarten through high school may attain progressively higher levels of skill in the use of digital tools and applications. The instructional sequences must include participation in curricular and instructional options and the demonstration of competence of standards required pursuant to ss. 1003.41 and 1003.4203 through attainment of industry certifications and other means of demonstrating credit requirements identified under ss. 1002.3105, 1003.4203, 1003.428, and 1003.4282.

(4) **ASSESSMENT AND REMEDIATION.**—

(a) Each student must participate in the statewide, *standardized assessment program* tests required by s. 1008.22. Each student who does not meet specific levels of performance on the required assessments as determined by the district school board in FCAT reading, writing, science, and mathematics for each grade level, or who scores below Level 3 on in FCAT Reading or FCAT Mathematics or on the common core English Language Arts or mathematics assessments as applicable under s. 1008.22, must be provided with additional diagnostic assessments to determine the nature of the student's difficulty, the areas of academic need, and strategies for appropriate intervention and instruction as described in paragraph (b).

(b) The school in which the student is enrolled must develop, in consultation with the student's parent, and must implement a progress monitoring plan. A progress monitoring plan is intended to provide the school district and the school flexibility in meeting the academic needs of the student and to reduce paperwork. A student who is not meeting the school district or state requirements for proficiency in reading and mathematics ~~math~~ shall be covered by one of the following plans to target instruction and identify ways to improve his or her academic achievement:

1. A federally required student plan such as an individual education plan;
2. A schoolwide system of progress monitoring for all students; or
3. An individualized progress monitoring plan.

The plan chosen must be designed to assist the student or the school in meeting state and district expectations for proficiency. If the student has been identified as having a deficiency in reading, the K-12 comprehensive reading plan required by s. 1011.62(9) shall include instructional and support services to be provided to meet the desired levels of performance. District school boards may require low-performing students to attend remediation programs held before or after regular school hours or during the summer if transportation is provided.

(5) **READING DEFICIENCY AND PARENTAL NOTIFICATION.**—

(a) ~~It is the ultimate goal of the Legislature that every student read at or above grade level.~~ Any student who exhibits a substantial deficiency in reading, based upon locally determined or statewide assessments conducted in kindergarten or grade 1, grade 2, or grade 3, or through teacher observations, must be given intensive reading instruction immediately following the identification of the reading deficiency. The student's reading proficiency must be reassessed by locally determined assessments or through teacher observations at the beginning of the grade following the intensive reading instruction. The student must continue to be provided with intensive reading instruction until the reading deficiency is remedied.

(b) ~~Beginning with the 2002-2003 school year,~~ If a the student's reading deficiency, as identified in paragraph (a), is not remedied by the end of grade 3, as demonstrated by scoring at Level 2 or higher on the statewide, *standardized assessment required under s. 1008.22* ~~test in reading~~ for grade 3, the student must be retained.

(6) **ELIMINATION OF SOCIAL PROMOTION.**—

(b) The district school board may only exempt students from mandatory retention, as provided in paragraph (5)(b), for good cause. Good cause exemptions shall be limited to the following:

1. Limited English proficient students who have had less than 2 years of instruction in an English for Speakers of Other Languages program.
2. Students with disabilities whose individual education plan indicates that participation in the statewide assessment program is not appropriate, consistent with the requirements of State Board of Education rule.
3. Students who demonstrate an acceptable level of performance on an alternative standardized reading or English Language Arts assessment approved by the State Board of Education.
4. A student ~~Students~~ who demonstrates demonstrate, through a student portfolio, that he or she the student is performing reading on

~~grade level as evidenced by demonstration of mastery of the Sunshine State Standards in reading equal to at least at a Level 2 performance on the FCAT Reading or the common core English Language Arts assessment, as applicable under s. 1008.22.~~

5. Students with disabilities who participate in ~~the FCAT Reading or the common core English Language Arts assessment, as applicable under s. 1008.22,~~ and who have an individual education plan or a Section 504 plan that reflects that the student has received intensive remediation in reading and English Language Arts for more than 2 years but still demonstrates a deficiency ~~in reading~~ and was previously retained in kindergarten, grade 1, grade 2, or grade 3.

6. Students who have received intensive remediation in reading and English Language Arts, as applicable under s. 1008.22, for 2 or more years but still demonstrate a deficiency ~~in reading~~ and who were previously retained in kindergarten, grade 1, grade 2, or grade 3 for a total of 2 years. Intensive ~~reading~~ instruction for students so promoted must include an altered instructional day that includes specialized diagnostic information and specific reading strategies for each student. The district school board shall assist schools and teachers to implement reading strategies that research has shown to be successful in improving reading among low-performing readers.

#### (7) SUCCESSFUL PROGRESSION FOR RETAINED THIRD GRADE STUDENTS READERS.—

(a) Students retained under the provisions of paragraph (5)(b) must be provided intensive interventions in reading to ameliorate the student's specific reading deficiency, as identified by a valid and reliable diagnostic assessment. This intensive intervention must include effective instructional strategies, participation in the school district's summer reading camp, and appropriate teaching methodologies necessary to assist those students in becoming successful readers, able to read at or above grade level, and ready for promotion to the next grade.

(b) ~~Beginning with the 2004-2005 school year,~~ Each school district shall:

~~1. Conduct a review of student progress monitoring plans for all students who did not score above Level 1 on the reading portion of the FCAT and did not meet the criteria for one of the good cause exemptions in paragraph (6)(b). The review shall address additional supports and services, as described in this subsection, needed to remediate the identified areas of reading deficiency. The school district shall require a student portfolio to be completed for each such student.~~

~~1.2. Provide third grade students who are retained under the provisions of paragraph (5)(b) with intensive instructional services and supports to remediate the identified areas of reading deficiency, including participation in the school district's summer reading camp as required under paragraph (a) and a minimum of 90 minutes of daily, uninterrupted, scientifically research-based reading instruction which includes phonemic awareness, phonics, fluency, vocabulary, and comprehension and other strategies prescribed by the school district, which may include, but are not limited to:~~

~~a. Integration of science and social studies content within the 90-minute block.~~

~~b.a. Small group instruction.~~

~~c.b. Reduced teacher-student ratios.~~

~~d.e. More frequent progress monitoring.~~

~~e.d. Tutoring or mentoring.~~

~~f.e. Transition classes containing 3rd and 4th grade students.~~

~~g.f. Extended school day, week, or year.~~

~~g. Summer reading camps.~~

~~2.3. Provide written notification to the parent of any student who is retained under the provisions of paragraph (5)(b) that his or her child has not met the proficiency level required for promotion and the reasons the child is not eligible for a good cause exemption as provided in paragraph (6)(b). The notification must comply with the provisions of s.~~

1002.20(15) and must include a description of proposed interventions and supports that will be provided to the child to remediate the identified areas of reading deficiency.

3.4. Implement a policy for the midyear promotion of any student retained under the provisions of paragraph (5)(b) who can demonstrate that he or she is a successful and independent reader and performing, ~~reading at or above grade level in reading and English Language Arts, as applicable under s. 1008.22, and ready to be promoted to grade 4.~~ Tools that school districts may use in reevaluating any student retained may include subsequent assessments, alternative assessments, and portfolio reviews, in accordance with rules of the State Board of Education. ~~Students promoted during the school year after November 1 must demonstrate proficiency above that required to score at Level 2 on the grade 3 FCAT, as determined by the State Board of Education. The State Board of Education shall adopt standards that provide a reasonable expectation that the student's progress is sufficient to master appropriate 4th grade level reading skills.~~

4.5. Provide students who are retained under the provisions of paragraph (5)(b) with a ~~highly effective high performing~~ teacher as determined by ~~the teacher's performance evaluation under s. 1012.34~~ student performance data and above satisfactory performance appraisals.

6. ~~In addition to required reading enhancement and acceleration strategies, provide parents of students to be retained with at least one of the following instructional options:~~

~~a. Supplemental tutoring in scientifically research based reading services in addition to the regular reading block, including tutoring before and/or after school.~~

~~b. A "Read at Home" plan outlined in a parental contract, including participation in "Families Building Better Readers Workshops" and regular parent guided home reading.~~

~~c. A mentor or tutor with specialized reading training.~~

7. Establish a Reading Enhancement and Acceleration Development (READ) Initiative. The focus of the READ Initiative shall be to prevent the retention of grade 3 students and to offer intensive accelerated reading instruction to grade 3 students who failed to meet standards for promotion to grade 4 and to each K-3 student who is assessed as exhibiting a reading deficiency. The READ Initiative shall:

~~a. Be provided to all K-3 students at risk of retention as identified by the statewide assessment system used in Reading First schools. The assessment must measure phonemic awareness, phonics, fluency, vocabulary, and comprehension.~~

~~b. Be provided during regular school hours in addition to the regular reading instruction.~~

~~c. Provide a state identified reading curriculum that has been reviewed by the Florida Center for Reading Research at Florida State University and meets, at a minimum, the following specifications:~~

~~(I) Assists students assessed as exhibiting a reading deficiency in developing the ability to read at grade level.~~

~~(II) Provides skill development in phonemic awareness, phonics, fluency, vocabulary, and comprehension.~~

~~(III) Provides scientifically based and reliable assessment.~~

~~(IV) Provides initial and ongoing analysis of each student's reading progress.~~

~~(V) Is implemented during regular school hours.~~

~~(VI) Provides a curriculum in core academic subjects to assist the student in maintaining or meeting proficiency levels for the appropriate grade in all academic subjects.~~

5.8. Establish at each school, ~~when~~ where applicable, an Intensive Acceleration Class for retained grade 3 students who subsequently score at Level 1 on the ~~required statewide, standardized assessment identified in s. 1008.22 reading portion of the FCAT.~~ The focus of the Intensive Acceleration Class shall be to increase a child's reading and English

*Language Arts skill level at least two grade levels in 1 school year. The Intensive Acceleration Class shall:*

a. Be provided to any student in grade 3 who scores at Level 1 on the ~~reading portion of the FCAT Reading or the common core English Language Arts assessment, as applicable under s. 1008.22, and who was retained in grade 3 the prior year because of scoring at Level 1 on the reading portion of the FCAT.~~

b. Have a reduced teacher-student ratio.

c. Provide uninterrupted reading instruction for the majority of student contact time each day and incorporate opportunities to master the grade 4 *Next Generation Sunshine State Standards* in other core subject areas.

d. Use a reading program that is scientifically research-based and has proven results in accelerating student reading achievement within the same school year.

e. Provide intensive language and vocabulary instruction using a scientifically research-based program, including use of a speech-language therapist.

~~f. Include weekly progress monitoring measures to ensure progress is being made.~~

~~g. Report to the Department of Education, in the manner described by the department, the progress of students in the class at the end of the first semester.~~

~~9. Report to the State Board of Education, as requested, on the specific intensive reading interventions and supports implemented at the school district level. The Commissioner of Education shall annually prescribe the required components of requested reports.~~

~~10. Provide a student who has been retained in grade 3 and has received intensive instructional services but is still not ready for grade promotion, as determined by the school district, the option of being placed in a transitional instructional setting. Such setting shall specifically be designed to produce learning gains sufficient to meet grade 4 performance standards while continuing to remediate the areas of reading deficiency.~~

#### (8) ANNUAL REPORT.—

(a) In addition to the requirements in paragraph (5)(b), each district school board must annually report to the parent of each student the progress of the student toward achieving state and district expectations for proficiency in reading, writing, science, and mathematics. The district school board must report to the parent the student's results on each statewide assessment test. The evaluation of each student's progress must be based upon the student's classroom work, observations, tests, district and state assessments, and other relevant information. Progress reporting must be provided to the parent in writing in a format adopted by the district school board.

(b) Each district school board must annually publish ~~on the district website in the local newspaper, and report in writing to the State Board of Education by September 1 of each year,~~ the following information on the prior school year:

1. The provisions of this section relating to public school student progression and the district school board's policies and procedures on student retention and promotion.

2. By grade, the number and percentage of all students in grades 3 through 10 performing at Levels 1 and 2 on the reading portion of the FCAT.

3. By grade, the number and percentage of all students retained in grades 3 through 10.

4. Information on the total number of students who were promoted for good cause, by each category of good cause as specified in paragraph (6)(b).

5. Any revisions to the district school board's policy on student retention and promotion from the prior year.

~~(c) The Department of Education shall establish a uniform format for school districts to report the information required in paragraph (b). The format shall be developed with input from district school boards and shall be provided not later than 90 days prior to the annual due date. The department shall annually compile the information required in subparagraphs (b)2., 3., and 4., along with state level summary information, and report such information to the Governor, the President of the Senate, and the Speaker of the House of Representatives.~~

Section 35. Subsection (3) of section 1008.30, Florida Statutes, is amended to read:

1008.30 Common placement testing for public postsecondary education.—

(3) The State Board of Education shall adopt rules that require high schools to evaluate before the beginning of grade 12 the college readiness of each student who scores at Level 2 or Level 3 on the ~~reading portion of the grade 10 FCAT Reading or the English Language Arts assessment under s. 1008.22, as applicable, or Level 2, Level 3, or Level 4 on the Algebra I assessment mathematics assessments~~ under s. 1008.22 ~~1008.22(3)(c).~~ High schools shall perform this evaluation using results from the corresponding component of the common placement test prescribed in this section, or an equivalent test identified by the State Board of Education. The State Board of Education shall identify in rule the assessments necessary to perform the evaluations required by this subsection and shall work with the school districts to administer the assessments. The State Board of Education shall establish by rule the minimum test scores a student must achieve to demonstrate readiness. Students who demonstrate readiness by achieving the minimum test scores established by the state board and enroll in a Florida College System institution within 2 years of achieving such scores shall not be required to retest or enroll in remediation when admitted to any Florida College System institution. The high school shall use the results of the test to advise the students of any identified deficiencies and to provide 12th grade students, and require them to complete, appropriate postsecondary preparatory instruction ~~before~~ prior to high school graduation. The curriculum provided under this subsection shall be identified in rule by the State Board of Education and encompass Florida's Postsecondary Readiness Competencies. Other elective courses may not be substituted for the selected postsecondary ~~reading, mathematics, reading, or~~ writing, or *English Language Arts* preparatory course unless the elective course covers the same competencies included in the postsecondary ~~reading, mathematics, or~~ *English Language Arts* preparatory course.

Section 36. Paragraphs (b) and (c) of subsection (3) of section 1008.34, Florida Statutes, are amended to read:

1008.34 School grading system; school report cards; district grade.—

#### (3) DESIGNATION OF SCHOOL GRADES.—

(b)1. A school's grade shall be based on a combination of:

a. Student achievement scores ~~on statewide, standardized, including achievement as measured by FCAT assessments~~ under s. 1008.22 ~~1008.22(3)(c)1., statewide, standardized end-of-course assessments under s. 1008.22(3)(c)2.a. and b., and achievement scores for students seeking a special diploma.~~

b. Student learning gains in *FCAT Reading or, upon transition to common core assessments, the common core English Language Arts and Mathematics assessments* as measured by ~~FCAT and~~ statewide, standardized ~~end-of-course assessments administered pursuant to s. 1008.22, as described in s. 1008.22(3)(c)1. and 2.a.,~~ including learning gains for students seeking a special diploma, as measured by an alternate assessment.

c. Improvement of the lowest 25th percentile of students in the school in reading ~~or, upon transition to common core assessments, English Language Arts and Mathematics on the FCAT or end-of-course assessments administered pursuant to s. 1008.22 described in s. 1008.22(3)(c)2.a.,~~ unless these students are exhibiting satisfactory performance.

2. Beginning with the 2011-2012 school year, for schools comprised of middle school grades 6 through 8 or grades 7 and 8, the school's grade



shall include the performance and participation of its students enrolled in high school level courses with *statewide, standardized end-of-course* assessments administered under s. 1008.22 ~~1008.22(3)(c)2.a.~~ Performance and participation must be weighted equally. As valid data becomes available, the school grades shall include the students' attainment of national industry certification identified in the Industry Certification Funding List pursuant to rules adopted by the state board.

3. Beginning with the 2009-2010 school year for schools comprised of high school grades 9, 10, 11, and 12, or grades 10, 11, and 12, at least 50 percent of the school grade shall be based on a combination of the factors listed in sub-subparagraphs 1.a.-c. and the remaining percentage on the following factors:

- a. The high school graduation rate of the school;
- b. As valid data becomes available, the performance and participation of the school's students in College Board Advanced Placement courses, International Baccalaureate courses, dual enrollment courses, and Advanced International Certificate of Education courses; and the students' achievement of national industry certification identified in the Industry Certification Funding List, pursuant to rules adopted by the state board;
- c. Postsecondary readiness of all of the school's on-time graduates as measured by the SAT, the ACT, the Postsecondary Education Readiness Test, or the common placement test;
- d. The high school graduation rate of at-risk students, who ~~score are~~ ~~students scoring at~~ Level 1 or Level 2 on grade 8 FCAT Reading or the *English Language Arts* and *FCAT* mathematics assessments administered under s. 1008.22;
- e. As valid data becomes available, the performance of the school's students on statewide, standardized end-of-course assessments administered under s. 1008.22(3)(b)4. and 5. ~~1008.22(3)(c)2.c. and d.;~~ and
- f. The growth or decline in the components listed in sub-subparagraphs a.-e. from year to year.

(c) Student assessment data used in determining school grades shall include:

1. The aggregate scores of all eligible students enrolled in the school who have been assessed on ~~the FCAT and~~ statewide, standardized end-of-course assessments in courses required for high school graduation, including, beginning with the 2011-2012 school year, the end-of-course assessment in Algebra I; and beginning with the 2012-2013 school year, the end-of-course assessments in Geometry and Biology I; and beginning with the 2014-2015 school year, on the statewide, standardized end-of-course assessment in civics education at the middle ~~grades school~~ level.
2. The aggregate scores of all eligible students enrolled in the school who have been assessed on ~~the FCAT and~~ statewide, standardized end-of-course assessments under s. 1008.22 ~~as described in s. 1008.22(3)(c)2.a.,~~ and who have scored at or in the lowest 25th percentile of students in the school in reading and mathematics, unless these students are exhibiting satisfactory performance.
3. The achievement scores and learning gains of eligible students attending alternative schools that provide dropout prevention and academic intervention services pursuant to s. 1003.53. The term "eligible students" in this subparagraph does not include students attending an alternative school who are subject to district school board policies for expulsion for repeated or serious offenses, who are in dropout retrieval programs serving students who have officially been designated as dropouts, or who are in programs operated or contracted by the Department of Juvenile Justice. The student performance data for eligible students identified in this subparagraph shall be included in the calculation of the home school's grade. As used in this subparagraph and s. 1008.341, the term "home school" means the school to which the student would be assigned if the student were not assigned to an alternative school. If an alternative school chooses to be graded under this section, student performance data for eligible students identified in this subparagraph shall not be included in the home school's grade but shall be included only in the calculation of the alternative school's grade. A school district that fails to assign ~~the FCAT and~~ statewide, standardized end-of-course assessment ~~as described in s. 1008.22(3)(c)2.a.~~ scores of each of

its students to his or her home school or to the alternative school that receives a grade shall forfeit Florida School Recognition Program funds for 1 fiscal year. School districts must require collaboration between the home school and the alternative school in order to promote student success. This collaboration must include an annual discussion between the principal of the alternative school and the principal of each student's home school concerning the most appropriate school assignment of the student.

4. The achievement scores and learning gains of students designated as hospital- or homebound. Student assessment data for students designated as hospital- or homebound shall be assigned to their home school for the purposes of school grades. As used in this subparagraph, the term "home school" means the school to which a student would be assigned if the student were not assigned to a hospital- or homebound program.

5. For schools comprised of high school grades 9, 10, 11, and 12, or grades 10, 11, and 12, the data listed in subparagraphs 1.-3. and the following data as the Department of Education determines such data are valid and available:

- a. The high school graduation rate of the school as calculated by the department;
- b. The participation rate of all eligible students enrolled in the school and enrolled in College Board Advanced Placement courses; International Baccalaureate courses; dual enrollment courses; Advanced International Certificate of Education courses; and courses or sequences of courses leading to national industry certification identified in the Industry Certification Funding List, pursuant to rules adopted by the State Board of Education;
- c. The aggregate scores of all eligible students enrolled in the school in College Board Advanced Placement courses, International Baccalaureate courses, and Advanced International Certificate of Education courses;
- d. Earning of college credit by all eligible students enrolled in the school in dual enrollment programs under s. 1007.271;
- e. Earning of a national industry certification identified in the Industry Certification Funding List, pursuant to rules adopted by the State Board of Education;
- f. The aggregate scores of all eligible students enrolled in the school in reading, mathematics, and other subjects as measured by the SAT, the ACT, the Postsecondary Education Readiness Test, and the common placement test for postsecondary readiness;
- g. The high school graduation rate of all eligible at-risk students enrolled in the school who scored ~~at~~ Level 2 or lower on grade 8 FCAT Reading and FCAT Mathematics;
- h. The performance of the school's students on statewide, standardized end-of-course assessments administered under s. 1008.22(3)(b)4. and 5. ~~1008.22(3)(c)2.c. and d.;~~ and
- i. The growth or decline in the data components listed in sub-subparagraphs a.-h. from year to year.

The State Board of Education shall adopt appropriate criteria for each school grade. The criteria must also give added weight to student achievement in reading. Schools earning a grade of "C," making satisfactory progress, shall be required to demonstrate that adequate progress has been made by students in the school who are in the lowest 25th percentile in reading and mathematics on *statewide, standardized the FCAT and end-of-course* assessments under s. 1008.22 ~~as described in s. 1008.22(3)(c)2.a.,~~ unless these students are exhibiting satisfactory performance. For schools comprised of high school grades 9, 10, 11, and 12, or grades 10, 11, and 12, the criteria for school grades must also give added weight to the graduation rate of all eligible at-risk students. In order for a high school to earn a grade of "A," the school must demonstrate that its at-risk students, as defined in this paragraph, are making adequate progress.

And the title is amended as follows:



Delete lines 52-155 and insert: 1003.428, F.S.; including financial literacy within the economics course required for high school graduation; conforming provisions; amending s. 1003.4281, F.S.; conforming provisions; creating s. 1003.4282, F.S.; providing requirements for a standard high school diploma; establishing a 24-credit requirement; providing for a standard college and career high school diploma and course and assessment requirements; providing requirements relating to online courses, remediation, grade forgiveness, award of a standard high school diploma, transfer of high school credits, and career education courses that earn high school credits; requiring the State Board of Education to adopt rules; amending s. 1003.4285, F.S.; revising standard high school diploma designations; providing for a scholar designation, an industry designation, or a waiver designation on the diploma; creating s. 1003.4286, F.S.; providing for the award of a standard high school diploma to honorably discharged veterans pursuant to rule; repealing s. 1003.429, F.S., relating to accelerated high school graduation options; amending s. 1003.4295, F.S.; conforming provisions; repealing s. 1003.43, F.S., relating to general requirements for high school graduation; amending s. 1003.433, F.S.; conforming provisions; amending s. 1003.435, F.S.; deleting a rulemaking requirement relating to high school equivalency diplomas; amending s. 1003.436, F.S.; providing a reference to the Credit Acceleration Program for purposes of defining the term "credit"; amending ss. 1003.438, 1003.491, 1003.4935, 1003.51, 1003.621, and 1004.935, F.S.; conforming provisions; amending s. 1007.271, F.S.; authorizing career dual enrollment students to earn industry certifications for credit toward high school graduation; amending s. 1008.22, F.S.; substantially rewording the student assessment program for public schools; providing requirements for a statewide, standardized assessment program aligned to core curricular content in the Next Generation Sunshine State Standards; providing requirements for end-of-course assessments; providing requirements for instruction for students with disabilities; providing for transition to common core assessments in English Language Arts and mathematics; providing requirements for assessment scores, achievement levels, assessment schedules, and reporting of assessment results; providing prohibited and authorized assessment-preparation activities; authorizing contracts for assessments; requiring analysis of data, administration of local assessments, and identification of concordant and comparative scores; requiring annual reporting of student performance data; requiring the state board to adopt rules; amending s. 1008.25, F.S.; providing for instructional sequencing of courses, including industry certifications; conforming provisions relating to student assessment, remediation, retention, and progression; deleting unfunded and inactive programs and reporting requirements; revising school district reporting requirements; amending ss. 1008.30 and 1008.34, F.S.; conforming provisions;

## MOTION

On motion by Senator Legg, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Legg moved the following amendment to **Amendment 2** which was adopted:

**Amendment 2A (260762)**—Delete line 1674 and insert: *district website and in the local newspaper; and report in writing*

**Amendment 2** as amended was adopted.

Senator Legg moved the following amendment:

**Amendment 3 (633314) (with title amendment)**—Delete lines 2049-2529 and insert:

Section 37. Section 1008.44, Florida Statutes, is created to read:

**1008.44 Industry certifications; Industry Certification Funding List and Postsecondary Industry Certification Funding List.**—

(1) Pursuant to s. 1003.492, the Department of Education shall, at least annually, identify, under rules adopted by the State Board of Education, the Industry Certification Funding List that must be applied in the distribution of funding to school districts pursuant to s. 1011.62. The commissioner may at any time recommend adding certifications.

(2) The State Board of Education shall approve, at least annually, the Postsecondary Industry Certification Funding List pursuant to this section. The commissioner shall recommend, at least annually, the Post-

secondary Industry Certification Funding List to the State Board of Education and may at any time recommend adding certifications. The Chancellor of the State University System, the Chancellor of the Florida College System, and the Chancellor of Career and Adult Education shall work with local workforce boards, other postsecondary institutions, businesses, and industry to identify, create, and recommend to the commissioner industry certifications to be placed on the funding list. The list shall be used to determine annual performance funding distributions to school districts or Florida College System institutions as specified in ss. 1011.80 and 1011.81, respectively. The chancellors shall review results of the economic security report of employment and earning outcomes produced annually pursuant to s. 445.007 when determining recommended certifications for the list, as well as other reports and indicators available regarding certification needs.

(3) In the case of rigorous industry certifications that have embedded prerequisite minimum age, grade level, diploma or degree, postgraduation period of work experience of at least 12 months, or other reasonable requirements that may limit the extent to which a student can complete all requirements of the certification recognized by industry for employment purposes, the commissioner shall differentiate content, instructional, and assessment requirements that, when provided by a public institution and satisfactorily attained by a student, indicate accomplishment of requirements necessary for funding pursuant to ss. 1011.62, 1011.80, and 1011.81, notwithstanding attainment of prerequisite requirements necessary for recognition by industry for employment purposes. The differentiated requirements established by the commissioner shall be included in the Industry Certification Funding List at the time the certification is adopted.

Section 38. Paragraph (c) of subsection (1) of section 1011.61, Florida Statutes, is amended to read:

1011.61 Definitions.—Notwithstanding the provisions of s. 1000.21, the following terms are defined as follows for the purposes of the Florida Education Finance Program:

(1) A "full-time equivalent student" in each program of the district is defined in terms of full-time students and part-time students as follows:

(c)1. A "full-time equivalent student" is:

a. A full-time student in any one of the programs listed in s. 1011.62(1)(c); or

b. A combination of full-time or part-time students in any one of the programs listed in s. 1011.62(1)(c) which is the equivalent of one full-time student based on the following calculations:

(I) A full-time student in a combination of programs listed in s. 1011.62(1)(c) shall be a fraction of a full-time equivalent membership in each program equal to the number of net hours per school year for which he or she is a member, divided by the appropriate number of hours set forth in subparagraph (a)1. or subparagraph (a)2. The sum of the fractions for each program may not exceed the maximum value set forth in subsection (4).

(II) A prekindergarten student with a disability shall meet the requirements specified for kindergarten students.

(III) A full-time equivalent student for students in kindergarten through grade 12 in a full-time virtual instruction program under s. 1002.45 or a virtual charter school under s. 1002.33 shall consist of six full-credit completions or the prescribed level of content that counts toward promotion to the next grade in programs listed in s. 1011.62(1)(c). Credit completions may be a combination of full-credit courses or half-credit courses. Beginning in the 2016-2017 2014-2015 fiscal year, when s. 1008.22(3)(g) is implemented, the reported full-time equivalent students and associated funding of students enrolled in courses requiring passage of an end-of-course assessment under s. 1003.4282 to earn a standard high school diploma shall be adjusted if after the student does not pass completes the end-of-course assessment. However, no adjustment shall be made for a student who enrolls in a segmented remedial course delivered online.

(IV) A full-time equivalent student for students in kindergarten through grade 12 in a part-time virtual instruction program under s. 1002.45 shall consist of six full-credit completions in programs listed in

s. 1011.62(1)(c)1. and 3. Credit completions may be a combination of full-credit courses or half-credit courses. Beginning in the 2016-2017 ~~2014-2015~~ fiscal year, ~~when s. 1008.22(3)(g) is implemented,~~ the reported full-time equivalent students and associated funding of students enrolled in courses requiring passage of an end-of-course assessment *under s. 1003.4282 to earn a standard high school diploma* shall be adjusted ~~if after the student does not pass~~ *completes* the end-of-course assessment. ~~However, no adjustment shall be made for a student who enrolls in a segmented remedial course delivered online.~~

(V) A Florida Virtual School full-time equivalent student shall consist of six full-credit completions or the prescribed level of content that counts toward promotion to the next grade in the programs listed in s. 1011.62(1)(c)1. and 3. for students participating in kindergarten through grade 12 part-time virtual instruction and the programs listed in s. 1011.62(1)(c) for students participating in kindergarten through grade 12 full-time virtual instruction. Credit completions may be a combination of full-credit courses or half-credit courses. Beginning in the 2016-2017 ~~2014-2015~~ fiscal year, ~~when s. 1008.22(3)(g) is implemented,~~ the reported full-time equivalent students and associated funding of students enrolled in courses requiring passage of an end-of-course assessment *under s. 1003.4282 to earn a standard high school diploma* shall be adjusted ~~if after the student does not pass~~ *completes* the end-of-course assessment. ~~However, no adjustment shall be made for a student who enrolls in a segmented remedial course delivered online.~~

(VI) Each successfully completed full-credit course earned through an online course delivered by a district other than the one in which the student resides shall be calculated as  $\frac{1}{6}$  FTE.

~~(VII) Each successfully completed credit earned under the alternative high school course credit requirements authorized in s. 1002.375, which is not reported as a portion of the 900 net hours of instruction pursuant to subparagraph (1)(a)1., shall be calculated as  $\frac{1}{6}$  FTE.~~

~~(VII)(VIII)(A)~~ A full-time equivalent student for courses requiring passage of a statewide, standardized end-of-course assessment *under s. 1003.4282 to earn a standard high school diploma pursuant to s. 1008.22(3)(c)2.a.* shall be defined and reported based on the number of instructional hours as provided in this subsection ~~until the 2016-2017 fiscal year for the first 3 years of administering the end-of-course assessment.~~ Beginning in the 2016-2017 fiscal year ~~fourth year of administering the end-of-course assessment,~~ the FTE for the course shall be ~~assessment-based credit-based and each course shall be equal to  $\frac{1}{6}$  FTE.~~ The reported FTE shall be adjusted ~~if after the student does not pass successfully completes~~ the end-of-course assessment ~~pursuant to s. 1008.22(3)(c)2.a.~~ *However, no adjustment shall be made for a student who enrolls in a segmented remedial course delivered online.*

~~(A)(B)~~ For students enrolled in a school district as a full-time student, the district may report  $\frac{1}{6}$  FTE for each student who passes a statewide, standardized end-of-course assessment without being enrolled in the corresponding course.

~~(B)(C)~~ The FTE earned under this sub-sub-subparagraph and any FTE for courses or programs listed in s. 1011.62(1)(c) that do not require passing a statewide, standardized end-of-course assessment are subject to the requirements in subsection (4).

2. A student in membership in a program scheduled for more or less than 180 school days or the equivalent on an hourly basis as specified by rules of the State Board of Education is a fraction of a full-time equivalent membership equal to the number of instructional hours in membership divided by the appropriate number of hours set forth in subparagraph (a)1.; however, for the purposes of this subparagraph, membership in programs scheduled for more than 180 days is limited to students enrolled in juvenile justice education programs and the Florida Virtual School.

The department shall determine and implement an equitable method of equivalent funding for experimental schools and for schools operating under emergency conditions, which schools have been approved by the department to operate for less than the minimum school day.

Section 39. Present paragraphs (s) and (t) of subsection (1) of section 1011.62, Florida Statutes, are redesignated as paragraphs (t) and (u), respectively, a new paragraph (s) is added to that subsection, and

paragraphs (c), (l), (n), and (o), and present paragraph (t) of that subsection are amended, to read:

1011.62 Funds for operation of schools.—If the annual allocation from the Florida Education Finance Program to each district for operation of schools is not determined in the annual appropriations act or the substantive bill implementing the annual appropriations act, it shall be determined as follows:

(1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR OPERATION.—The following procedure shall be followed in determining the annual allocation to each district for operation:

(c) Determination of programs.—Cost factors based on desired relative cost differences between the following programs shall be established in the annual General Appropriations Act. *The cost factor for secondary career education programs and basic programs grade 9 through 12 shall be equal.* The Commissioner of Education shall specify a matrix of services and intensity levels to be used by districts in the determination of the two weighted cost factors for exceptional students with the highest levels of need. For these students, the funding support level shall fund the exceptional students' education program, with the exception of extended school year services for students with disabilities.

1. Basic programs.—
  - a. Kindergarten and grades 1, 2, and 3.
  - b. Grades 4, 5, 6, 7, and 8.
  - c. Grades 9, 10, 11, and 12.
2. Programs for exceptional students.—
  - a. Support Level IV.
  - b. Support Level V.
3. Secondary career education programs.—
4. English for Speakers of Other Languages.—

(l) Calculation of additional full-time equivalent membership based on International Baccalaureate examination scores of students.—A value of 0.16 full-time equivalent student membership shall be calculated for each student enrolled in an International Baccalaureate course who receives a score of 4 or higher on a subject examination. A value of 0.3 full-time equivalent student membership shall be calculated for each student who receives an International Baccalaureate diploma. Such value shall be added to the total full-time equivalent student membership in basic programs for grades 9 through 12 in the subsequent fiscal year. Each school district shall allocate 80 percent of the funds received from International Baccalaureate bonus FTE funding to the school program whose students generate the funds and to school programs that prepare prospective students to enroll in International Baccalaureate courses. Funds shall be expended solely for the payment of allowable costs associated with the International Baccalaureate program. Allowable costs include International Baccalaureate annual school fees; International Baccalaureate examination fees; salary, benefits, and bonuses for teachers and program coordinators for the International Baccalaureate program and teachers and coordinators who prepare prospective students for the International Baccalaureate program; supplemental books; instructional supplies; instructional equipment or instructional materials for International Baccalaureate courses; other activities that identify prospective International Baccalaureate students or prepare prospective students to enroll in International Baccalaureate courses; and training or professional development for International Baccalaureate teachers. School districts shall allocate the remaining 20 percent of the funds received from International Baccalaureate bonus FTE funding for programs that assist academically disadvantaged students to prepare for more rigorous courses. The school district shall distribute to each classroom teacher who provided International Baccalaureate instruction:

1. A bonus in the amount of \$50 for each student taught by the International Baccalaureate teacher in each International Baccalaureate course who receives a score of 4 or higher on the International Baccalaureate examination.

2. An additional bonus of \$500 to each International Baccalaureate teacher in a school designated with a grade of "D" or "F" who has at least one student scoring 4 or higher on the International Baccalaureate examination, regardless of the number of classes taught or of the number of students scoring a 4 or higher on the International Baccalaureate examination.

Bonuses awarded to a teacher according to this paragraph ~~may~~ shall not exceed \$2,000 in any given school year. *However, the maximum bonus shall be \$3,000 if at least 50 percent of the students enrolled in a teacher's course earn a score of 4 or higher on the examination in a school designated with a grade of "A", "B", or "C"; or if at least 25 percent of the students enrolled in a teacher's course earn a score of 4 or higher on the examination in a school designated with a grade of "D" or "F". Bonuses awarded under this paragraph and shall be in addition to any regular wage or other bonus the teacher received or is scheduled to receive. For such courses, the teacher shall earn an additional bonus of \$50 for each student who has a qualifying score up to the maximum of \$3,000 in any given school year.*

(n) Calculation of additional full-time equivalent membership based on college board advanced placement scores of students.—A value of 0.16 full-time equivalent student membership shall be calculated for each student in each advanced placement course who receives a score of 3 or higher on the College Board Advanced Placement Examination for the prior year and added to the total full-time equivalent student membership in basic programs for grades 9 through 12 in the subsequent fiscal year. Each district must allocate at least 80 percent of the funds provided to the district for advanced placement instruction, in accordance with this paragraph, to the high school that generates the funds. The school district shall distribute to each classroom teacher who provided advanced placement instruction:

1. A bonus in the amount of \$50 for each student taught by the Advanced Placement teacher in each advanced placement course who receives a score of 3 or higher on the College Board Advanced Placement Examination.

2. An additional bonus of \$500 to each Advanced Placement teacher in a school designated with a grade of "D" or "F" who has at least one student scoring 3 or higher on the College Board Advanced Placement Examination, regardless of the number of classes taught or of the number of students scoring a 3 or higher on the College Board Advanced Placement Examination.

Bonuses awarded to a teacher according to this paragraph shall not exceed \$2,000 in any given school year. *However, the maximum bonus shall be \$3,000 if at least 50 percent of the students enrolled in a teacher's course earn a score of 3 or higher on the examination in a school with a grade of "A", "B", or "C" or if at least 25 percent of the students enrolled in a teacher's course earn a score of 3 or higher on the examination in a school with a grade of "D" or "F". Bonuses awarded under this paragraph and shall be in addition to any regular wage or other bonus the teacher received or is scheduled to receive. For such courses, the teacher shall earn an additional bonus of \$50 for each student who has a qualifying score up to the maximum of \$3,000 in any given school year.*

(o) Calculation of additional full-time equivalent membership based on ~~certification of~~ successful completion of a career-themed course ~~or career and professional academy program~~ pursuant to ss. 1003.491, 1003.492, and 1003.493, ~~and 1003.4935~~ and issuance of the highest level of industry certification identified in the Industry Certification Certified Funding List pursuant to rules adopted by the State Board of Education.—

1. A value of 0.1 ~~or, 0.2, or 0.3~~ full-time equivalent student membership shall be calculated for each student who completes a career-themed course as defined in s. 1003.493(1)(b) ~~or a career and professional academy program under ss. 1003.491, 1003.492, 1003.493, and 1003.4935~~ and who is issued ~~an~~ the highest level of industry certification identified annually in the Industry Certification Funding List approved under rules adopted by the State Board of Education ~~upon promotion to the 9th grade under subparagraph 2, or upon earning a high school diploma~~. The maximum full-time equivalent student membership value for any student in grades 9 through 12 is 0.3. A value of 0.2 full-time equivalent membership shall be calculated for each student who is issued an industry certification that has a statewide articulation agreement for college credit approved by the State Board of Education. For industry

~~certifications that do not articulate for college credit, the Department of Education shall assign a the appropriate full-time equivalent value of 0.1 for each certification, 50 percent of which is based on rigor and the remaining 50 percent on employment value. The State Board of Education shall include the assigned values in the Industry Certification Funding List under rules adopted by the state board. Rigor shall be based on the number of instructional hours, including work experience hours, required to earn the certification, with a bonus for industry certifications that have a statewide articulation agreement for college credit approved by the State Board of Education. Employment value shall be based on the entry wage, growth rate in employment for each occupational category, and average annual openings for the primary occupation linked to the industry certification. Such value shall be added to the total full-time equivalent student membership in secondary career education programs for grades 9 through 12 in the subsequent year for courses that were not provided funded through dual enrollment. Industry certifications earned through dual enrollment must be reported and funded pursuant to ss. 1011.80 and 1011.81.~~

~~2. Upon promotion to the 9th grade, a value of 0.1 full time equivalent student membership shall be calculated for each student who completes a career themed course or a career and professional academy program under s. 1003.4935 and who is issued the highest level of industry certification in science, technology, engineering, or mathematics identified on the Industry Certification Funding List under rules adopted by the State Board of Education.~~

~~2.3. The additional full time equivalent membership authorized under this paragraph may not exceed 0.3 per student. Each district must allocate at least 80 percent of the funds provided for industry certification, in accordance with this paragraph, to the program that generated the funds. This allocation may not be used to supplant funds provided for basic operation of the program. Unless a different amount is specified in the General Appropriations Act, the appropriation for this calculation is limited to \$60 \$15 million annually. If the appropriation is insufficient to fully fund the total calculation, the appropriation shall be prorated.~~

3. For industry certifications earned in the 2013-2014 school year and in subsequent years, the school district shall distribute to each classroom teacher who provided direct instruction toward the attainment of an industry certification that qualified for additional full-time equivalent membership under subparagraph 1:

a. A bonus in the amount of \$25 for each student taught by a teacher who provided instruction in a course that led to the attainment of an industry certification on the Industry Certification Funding List with a weight of 0.1.

b. A bonus in the amount of \$50 for each student taught by a teacher who provided instruction in a course that led to the attainment of an industry certification on the Industry Certification Funding List with a weight of 0.2.

4. For the 2013-2014 fiscal year, the additional FTE membership calculation must include the additional FTE for any student who earned a certification in the 2009-2010, 2010-2011, and 2011-2012 fiscal years who was not previously funded and was enrolled in 2012-2013.

Bonuses awarded pursuant to this paragraph shall be provided to teachers who are employed by the district in the year in which the additional FTE membership calculation is included in the calculation. Bonuses shall be calculated based upon the associated weight of an industry certification on the Industry Certification Funding List for the year in which the certification is earned by the student. Any bonus awarded to a teacher under this paragraph may not exceed \$2,000 in any given school year and is in addition to any regular wage or other bonus the teacher received or is scheduled to receive.

(s) Florida Cyber Security Recognition, Florida Digital Arts Recognition, and Florida Digital Tools Certificate established pursuant to s. 1003.4203.—

1. Each school district shall certify by June 30 of each year to the Department of Education each elementary school that achieves 50 percent of student attainment of the Florida Cyber Security Recognition or the Florida Digital Arts Recognition established pursuant to s. 1003.4203. Upon verification by the department, each school that has achieved the

*designated student recognitions shall be awarded a Florida Digital Learning Certificate of Achievement by the Commissioner of Education.*

2. *Each middle school shall receive \$50 for each student who earns the Florida Digital Tools Certificate established pursuant to s. 1003.4203 with a minimum awarded per school of \$1,000 annually and a maximum award per school of \$15,000 annually. This performance payment shall be calculated in the FEFP as a full-time equivalent student.*

(u)(~~u~~) Computation for funding through the Florida Education Finance Program.—The State Board of Education may adopt rules establishing programs, *industry certifications*, and courses for which the student may earn credit toward high school graduation.

Section 40. Paragraph (b) of subsection (1) of section 1012.22, Florida Statutes, is amended to read:

1012.22 Public school personnel; powers and duties of the district school board.—The district school board shall:

(1) Designate positions to be filled, prescribe qualifications for those positions, and provide for the appointment, compensation, promotion, suspension, and dismissal of employees as follows, subject to the requirements of this chapter:

(b) Time to act on nominations.—The district school board shall act not later than 3 weeks following the receipt of *statewide, standardized FCAT* scores and data *under s. 1008.22*, including school grades, or June 30, whichever is later, on the district school superintendent's nominations of supervisors, principals, and members of the instructional staff.

Section 41. Subsection (4) of section 1012.56, Florida Statutes, is amended to read:

1012.56 Educator certification requirements.—

(4) ALIGNMENT OF SUBJECT AREAS.—~~As the Sunshine State Standards are replaced by the Next Generation Sunshine State Standards under s. 1003.41,~~ The State Board of Education shall align the subject area examinations to the Next Generation Sunshine State Standards.

Section 42. Paragraph (b) of subsection (4) of section 1012.98, Florida Statutes, is amended to read:

1012.98 School Community Professional Development Act.—

(4) The Department of Education, school districts, schools, Florida College System institutions, and state universities share the responsibilities described in this section. These responsibilities include the following:

(b) Each school district shall develop a professional development system as specified in subsection (3). The system shall be developed in consultation with teachers, teacher-educators of Florida College System institutions and state universities, business and community representatives, and local education foundations, consortia, and professional organizations. The professional development system must:

1. Be approved by the department. All substantial revisions to the system shall be submitted to the department for review for continued approval.

2. Be based on analyses of student achievement data and instructional strategies and methods that support rigorous, relevant, and challenging curricula for all students. Schools and districts, in developing and refining the professional development system, shall also review and monitor school discipline data; school environment surveys; assessments of parental satisfaction; performance appraisal data of teachers, managers, and administrative personnel; and other performance indicators to identify school and student needs that can be met by improved professional performance.

3. Provide inservice activities coupled with followup support appropriate to accomplish district-level and school-level improvement goals and standards. The inservice activities for instructional personnel shall focus on analysis of student achievement data, ongoing formal and informal assessments of student achievement, identification and use of enhanced and differentiated instructional strategies that emphasize

rigor, relevance, and reading in the content areas, enhancement of subject content expertise, integrated use of classroom technology that enhances teaching and learning, classroom management, parent involvement, and school safety.

4. Include a master plan for inservice activities, pursuant to rules of the State Board of Education, for all district employees from all fund sources. The master plan shall be updated annually by September 1, must be based on input from teachers and district and school instructional leaders, and must use the latest available student achievement data and research to enhance rigor and relevance in the classroom. Each district inservice plan must be aligned to and support the school-based inservice plans and school improvement plans pursuant to s. 1001.42(18). District plans must be approved by the district school board annually in order to ensure compliance with subsection (1) and to allow for dissemination of research-based best practices to other districts. District school boards must submit verification of their approval to the Commissioner of Education no later than October 1, annually.

5. ~~Authorize~~ ~~Require~~ each school principal to establish and maintain an individual professional development plan for each instructional employee assigned to the school as a seamless component to the school improvement plans developed pursuant to s. 1001.42(18). ~~An~~ ~~The~~ individual professional development plan must:

~~a.~~ be related to specific performance data for the students to whom the teacher is assigned;

~~b.~~ define the inservice objectives and specific measurable improvements expected in student performance as a result of the inservice activity; *and*—

~~c.~~ include an evaluation component that determines the effectiveness of the professional development plan.

6. Include inservice activities for school administrative personnel that address updated skills necessary for instructional leadership and effective school management pursuant to s. 1012.986.

7. Provide for systematic consultation with regional and state personnel designated to provide technical assistance and evaluation of local professional development programs.

8. Provide for delivery of professional development by distance learning and other technology-based delivery systems to reach more educators at lower costs.

9. Provide for the continuous evaluation of the quality and effectiveness of professional development programs in order to eliminate ineffective programs and strategies and to expand effective ones. Evaluations must consider the impact of such activities on the performance of participating educators and their students' achievement and behavior.

Section 43. *Any student who selected and is participating in an accelerated high school graduation option under s. 1003.429, Florida Statutes, before July 1, 2013, may continue that option, and all statutory program requirements of the accelerated high school option shall remain applicable to the student as long as the student continues participation in the option.*

Section 44. *The Division of Law Revision and Information is requested to prepare a reviser's bill for the 2014 Regular Session of the Legislature to change the term "Sunshine State Standards" to "Next Generation Sunshine State Standards" wherever the term appears in the Florida Statutes.*

Section 45. Paragraph (b) of subsection (5) of section 1001.706, Florida Statutes, is amended to read:

1001.706 Powers and duties of the Board of Governors.—

(5) POWERS AND DUTIES RELATING TO ACCOUNTABILITY.—

(b) The Board of Governors shall develop a strategic plan specifying goals and objectives for the State University System and each constituent university, including each university's contribution to overall system goals and objectives. The strategic plan must:

1. Include performance metrics and standards common for all institutions and metrics and standards unique to institutions depending on institutional core missions, including, but not limited to, student admission requirements, retention, graduation, *percentage of graduates who have attained employment, percentage of graduates enrolled in continued education, licensure passage, average wages of employed graduates, average cost per graduate, excess hours, student loan burden and default rates, faculty awards, total annual research expenditures, patents, licenses and royalties, intellectual property, startup companies, annual giving, endowments, and well-known, highly respected national rankings for institutional and program achievements.*

2. Consider reports and recommendations of the Higher Education Coordinating Council pursuant to s. 1004.015 and the Articulation Coordinating Committee pursuant to s. 1007.01.

3. Include student enrollment and performance data delineated by method of instruction, including, but not limited to, traditional, online, and distance learning instruction.

4. *Include criteria for designating baccalaureate degree and master's degree programs at specified universities as high-demand programs of emphasis. Fifty percent of the criteria for designation as high-demand programs of emphasis must be based on achievement of performance outcome thresholds determined by the Board of Governors, and 50 percent of the criteria must be based on achievement of performance outcome thresholds specifically linked to:*

*a. Job placement in employment of 36 hours or more per week and average full-time wages of graduates of the degree programs 1 year and 5 years after graduation, based in part on data provided in the economic security report of employment and earning outcomes produced annually pursuant to s. 445.07.*

*b. Data-driven gap analyses, conducted by the Board of Governors, of the state's job market demands and the outlook for jobs that require a baccalaureate or higher degree.*

Section 46. Section 1001.7065, Florida Statutes, is created to read:

1001.7065 *Preeminent state research universities program.—*

**(1) STATE UNIVERSITY SYSTEM SHARED GOVERNANCE COLLABORATION.**—A collaborative partnership is established between the Board of Governors and the Legislature to elevate the academic and research preeminence of Florida's highest-performing state research universities in accordance with this section. The partnership stems from the State University System Governance Agreement executed on March 24, 2010, wherein the Board of Governors and leaders of the Legislature agreed to a framework for the collaborative exercise of their joint authority and shared responsibility for the State University System. The governance agreement confirmed the commitment of the Board of Governors and the Legislature to continue collaboration on accountability measures, the use of data, and recommendations derived from such data.

**(2) ACADEMIC AND RESEARCH EXCELLENCE STANDARDS.**—Effective July 1, 2013, the following academic and research excellence standards are established for the preeminent state research universities program:

*(a) An average weighted grade point average of 4.0 or higher on a 4.0 scale and an average SAT score of 1800 or higher for fall semester incoming freshmen, as reported annually.*

*(b) A top-50 ranking on at least two well-known and highly respected national public university rankings, reflecting national preeminence, using most recent rankings.*

*(c) A freshman retention rate of 90 percent or higher for full-time, first-time-in-college students, as reported annually to the Integrated Postsecondary Education Data System (IPEDS).*

*(d) A 6-year graduation rate of 70 percent or higher for full-time, first-time-in-college students, as reported annually to the IPEDS.*

*(e) Six or more faculty members at the state university who are members of a national academy, as reported by the Center for Measuring University Performance in the Top American Research Universities (TARU) annual report.*

*(f) Total annual research expenditures, including federal research expenditures, of \$200 million or more, as reported annually by the National Science Foundation (NSF).*

*(g) Total annual research expenditures in diversified nonmedical sciences of \$150 million or more, based on data reported annually by the NSF.*

*(h) A top-100 university national ranking for research expenditures in five or more science, technology, engineering, or mathematics fields of study, as reported annually by the NSF.*

*(i) One hundred or more total patents awarded by the United States Patent and Trademark Office for the most recent 3-year period.*

*(j) Four hundred or more doctoral degrees awarded annually, as reported in the Board of Governors Annual Accountability Report.*

*(k) Two hundred or more postdoctoral appointees annually, as reported in the TARU annual report.*

*(l) An endowment of \$500 million or more, as reported in the Board of Governors Annual Accountability Report.*

**(3) PREEMINENT STATE RESEARCH UNIVERSITY DESIGNATION.**—The Board of Governors shall designate each state research university that meets at least 11 of the 12 academic and research excellence standards identified in subsection (2) a preeminent state research university.

**(4) PREEMINENT STATE RESEARCH UNIVERSITY INSTITUTE FOR ONLINE LEARNING.**—A state research university that, as of July 1, 2013, meets all 12 of the academic and research excellence standards identified in subsection (2), as verified by the Board of Governors, shall establish an institute for online learning. The institute shall establish a robust offering of high-quality, fully online baccalaureate degree programs at an affordable cost in accordance with this subsection.

*(a) By August 1, 2013, the Board of Governors shall convene an advisory board to support the development of high-quality, fully online baccalaureate degree programs at the university.*

*(b) The advisory board shall:*

*1. Offer expert advice, as requested by the university, in the development and implementation of a business plan to expand the offering of high-quality, fully online baccalaureate degree programs.*

*2. Advise the Board of Governors on the release of funding to the university upon approval by the Board of Governors of the plan developed by the university.*

*3. Monitor, evaluate, and report on the implementation of the plan to the Board of Governors, the Governor, the President of the Senate, and the Speaker of the House of Representatives.*

*(c) The advisory board shall be composed of the following five members:*

*1. The chair of the Board of Governors or the chair's permanent designee.*

*2. A member with expertise in online learning, appointed by the Board of Governors.*

*3. A member with expertise in global marketing, appointed by the Governor.*

*4. A member with expertise in cloud virtualization, appointed by the President of the Senate.*

*5. A member with expertise in disruptive innovation, appointed by the Speaker of the House of Representatives.*

*(d) The president of the university shall be consulted on the advisory board member appointments.*

*(e) A majority of the advisory board shall constitute a quorum, elect the chair, and appoint an executive director.*

(f) By September 1, 2013, the university shall submit to the advisory board a comprehensive plan to expand high-quality, fully online baccalaureate degree program offerings. The plan shall include:

1. Existing on-campus general education courses and baccalaureate degree programs that will be offered online.
2. New courses that will be developed and offered online.
3. Support services that will be offered to students enrolled in online baccalaureate degree programs.
4. A tuition and fee structure that meets the requirements in paragraph (k) for online courses, baccalaureate degree programs, and student support services.
5. A timeline for offering, marketing, and enrolling students in the online baccalaureate degree programs.
6. A budget for developing and marketing the online baccalaureate degree programs.
7. Detailed strategies for ensuring the success of students and the sustainability of the online baccalaureate degree programs.

Upon recommendation of the plan by the advisory board and approval by the Board of Governors, the Board of Governors shall award the university \$10 million in nonrecurring funds and \$5 million in recurring funds for fiscal year 2013-2014 and \$5 million annually thereafter, subject to appropriation in the General Appropriations Act.

(g) Beginning in January 2014, the university shall offer high-quality, fully online baccalaureate degree programs that:

1. Accept full-time, first-time-in-college students.
2. Have the same rigorous admissions criteria as equivalent on-campus degree programs.
3. Offer curriculum of equivalent rigor to on-campus degree programs.
4. Offer rolling enrollment or multiple opportunities for enrollment throughout the year.
5. Do not require any on-campus courses. However, for courses or programs that require clinical training or laboratories that cannot be delivered online, the university shall offer convenient locational options to the student, which may include, but are not limited to, the option to complete such requirements at a summer-in-residence on the university campus. The university may provide a network of sites at convenient locations and contract with commercial testing centers or identify other secure testing services for the purpose of proctoring assessments or testing.
6. Apply the university's existing policy for accepting credits for both freshman applicants and transfer applicants.

(h) The university may offer a fully online Masters in Business Administration degree program and other master's degree programs.

(i) The university may develop and offer degree programs and courses that are competency based as appropriate for the quality and success of the program.

(j) The university shall periodically expand its offering of online baccalaureate degree programs to meet student and market demands.

(k) The university shall establish a tuition structure for its online institute in accordance with this paragraph, notwithstanding any other provision of law.

1. For students classified as residents for tuition purposes, tuition for an online baccalaureate degree program shall be set at no more than 75 percent of the tuition rate as specified in the General Appropriations Act pursuant to s. 1009.24(4) and 75 percent of the tuition differential pursuant to s. 1009.24(16). No distance learning fee, fee for campus facilities, or fee for on-campus services may be assessed, except that online students shall pay the university's technology fee, financial aid fee, and Capital Improvement Trust Fund fee. The revenues generated from the Capital

Improvement Trust Fund fee shall be dedicated to the university's institute for online learning.

2. For students classified as nonresidents for tuition purposes, tuition may be set at market rates in accordance with the business plan.

3. Tuition for an online degree program shall include all costs associated with instruction, materials, and enrollment, excluding costs associated with the provision of textbooks pursuant to s. 1004.085 and physical laboratory supplies.

4. Subject to the limitations in subparagraph 1., tuition may be differentiated by degree program as appropriate to the instructional and other costs of the program in accordance with the business plan. Pricing must incorporate innovative approaches that incentivize persistence and completion, including, but not limited to, a fee for assessment, a bundled or all-inclusive rate, and sliding scale features.

5. The university must accept advance payment contracts and student financial aid.

6. Fifty percent of the net revenues generated from the online institute of the university shall be used to enhance and enrich the online institute offerings, and 50 percent of the net revenues generated from the online institute shall be used to enhance and enrich the university's campus state-of-the-art research programs and facilities.

7. The institute may charge additional local user fees pursuant to s. 1009.24(14) upon the approval of the Board of Governors.

8. The institute shall submit a proposal to the president of the university authorizing additional user fees for the provision of voluntary student participation in activities and additional student services.

(5) **PREEMINENT STATE RESEARCH UNIVERSITY SUPPORT.**—A state research university that, as of July 1, 2013, meets all 12 of the academic and research excellence standards identified in subsection (2), as verified by the Board of Governors, shall submit to the Board of Governors a 5-year benchmark plan with target rankings on key performance metrics for national excellence. Upon approval by the Board of Governors, and upon the university's meeting the benchmark plan goals annually, the Board of Governors shall award the university an amount specified in the General Appropriations Act to be provided annually throughout the 5-year period. Funding for this purpose is contingent upon specific appropriation in the General Appropriations Act.

(6) **PREEMINENT STATE RESEARCH UNIVERSITY ENHANCEMENT INITIATIVE.**—A state research university that, as of July 1, 2013, meets 11 of the 12 academic and research excellence standards identified in subsection (2), as verified by the Board of Governors, shall submit to the Board of Governors a 5-year benchmark plan with target rankings on key performance metrics for national excellence. Upon the university's meeting the benchmark plan goals annually, the Board of Governors shall award the university an amount specified in the General Appropriations Act to be provided annually throughout the 5-year period for the purpose of recruiting National Academy Members, expediting the provision of a master's degree in cloud virtualization, and instituting an entrepreneurs-in-residence program throughout its campus. Funding for this purpose is contingent upon specific appropriation in the General Appropriations Act.

(7) **PREEMINENT STATE RESEARCH UNIVERSITY SPECIAL COURSE REQUIREMENT AUTHORITY.**—In order to provide a jointly shared educational experience, a university that is designated a pre-eminent state research university may require its incoming first-time-in-college students to take a 9-to-12-credit set of unique courses specifically determined by the university and published on the university's website. The university may stipulate that credit for such courses may not be earned through any acceleration mechanism pursuant to s. 1007.27 or s. 1007.271 or any other transfer credit. All accelerated credits earned up to the limits specified in ss. 1007.27 and 1007.271 shall be applied toward graduation at the student's request.

(8) **PREEMINENT STATE RESEARCH UNIVERSITY FLEXIBILITY AUTHORITY.**—The Board of Governors is encouraged to identify and grant all reasonable, feasible authority and flexibility to ensure that a designated preeminent state research university is free from unnecessary restrictions.

(9) *PROGRAMS OF EXCELLENCE THROUGHOUT THE STATE UNIVERSITY SYSTEM.*—*The Board of Governors is encouraged to establish standards and measures whereby individual programs in state universities that objectively reflect national excellence can be identified and make recommendations to the Legislature as to how any such programs could be enhanced and promoted.*

Section 47. Subsections (3) and (24) of section 1004.02, Florida Statutes, are amended to read:

1004.02 Definitions.—As used in this chapter:

(3) “Adult general education” means comprehensive instructional programs designed to improve the employability of the state’s workforce through adult basic education, adult secondary education, English for Speakers of Other Languages, *applied academics for adult education* ~~vocational-preparatory~~ instruction, and instruction for adults with disabilities.

(24) “*Applied academics for adult education*” or “*applied academics* ~~Vocational-preparatory~~ instruction” means adult general education through which persons attain academic and workforce readiness skills at the level of functional literacy (grade levels 6.0-8.9) or higher so that such persons may pursue technical certificate education or higher-level technical education.

Section 48. Section 1004.082, Florida Statutes, is created to read:

1004.082 *Talent retention programs.*—*The Chancellor of the State University System shall cooperate with the Commissioner of Education to support talent retention programs that encourage middle school and high school students who indicate an interest in or aptitude for physics or mathematics to continue their education at a state university that has excellent departments in selected fields. The chancellor and the commissioner shall work with state university department chairs to enable department chairs of outstanding state university departments to send letters to students who indicate an interest in or aptitude for those subjects. At a minimum, the letter should provide an open invitation for the student to communicate with the department, at least annually, and to schedule a tour of the department and the campus.*

Section 49. Section 1004.91, Florida Statutes, is amended to read:

1004.91 *Requirements for career education program basic skills* ~~Career preparatory instruction.~~—

(1) The State Board of Education shall adopt, by rule, standards of basic skill mastery for *completion of certificate career education programs*. Each school district and Florida College System institution that conducts programs that confer *career and technical certificates* ~~credit~~ shall provide *applied academics* ~~career preparatory~~ instruction through which students receive the basic skills instruction required pursuant to this section.

(2) Students who enroll in a program offered for career credit of 450 hours or more shall complete an entry-level examination within the first 6 weeks ~~after of~~ admission into the program. The State Board of Education shall designate examinations that are currently in existence, the results of which are comparable across institutions, to assess student mastery of basic skills. Any student found to lack the required level of basic skills for such program shall be referred to *applied academics* ~~career preparatory~~ instruction or *another adult general basic education program* for a structured program of basic skills instruction. Such instruction may include English for speakers of other languages. A student may not receive a career or technical certificate of completion without first demonstrating the basic skills required in the state curriculum frameworks for the *career education* program.

(3)(a) An adult student with a disability may be exempted from ~~the provisions of this section.~~

(b) *The following students are exempt from this section:*

1. A student who possesses a college degree at the associate in applied science level or higher ~~is exempt from this section.~~

2. A student who *demonstrates readiness for public postsecondary education pursuant to s. 1008.30 and applicable rules adopted by the State Board of Education* ~~has completed or who is exempt from the~~

~~college-level communication and computation skills examination pursuant to s. 1008.20, or who is exempt from the college entry level examination pursuant to s. 1008.20, is exempt from the provisions of this section.~~

3. A student who passes ~~Students who have passed~~ a state or, national, ~~or~~ industry certification or licensure examination that is identified in State Board of Education rules and aligned to the career education program in which the student is enrolled ~~exam are exempt from this section.~~

4. An adult student who is enrolled in an apprenticeship program that is registered with the Department of Education in accordance with ~~the provisions of chapter 446 is exempt from the provisions of this section.~~

Section 50. Present subsection (8) of section 1004.93, Florida Statutes, is renumbered as subsection (9), and a new subsection (8) is added to that section, to read:

1004.93 Adult general education.—

(8) *In order to accelerate the employment of adult education students, students entering adult general education programs after July 1, 2013, must complete the following action-steps-to-employment activities before the completion of the first term:*

(a) *Identify employment opportunities using market-driven tools.*

(b) *Create a personalized employment goal.*

(c) *Conduct a personalized skill and knowledge inventory.*

(d) *Compare the results of the personalized skill and knowledge inventory with the knowledge and skills needed to attain the personalized employment goal.*

(e) *Upgrade skills and knowledge needed through adult general education programs and additional educational pursuits based on the personalized employment goal.*

*The action-steps-to-employment activities may be developed through a blended approach with assistance provided to adult general education students by teachers, employment specialists, guidance counselors, business and industry representatives, and online resources. Students may be directed to online resources and provided information on financial literacy, student financial aid, industry certifications, and occupational services and a listing of job openings.*

Section 51. Section 1006.735, Florida Statutes, is amended to read:

1006.735 *Complete Florida Degree Program* ~~Completion Pilot Project.~~—

(1) *The Complete Florida Degree Program* ~~Completion Pilot Project~~ is established for the purpose of recruiting, recovering, and retaining the state’s adult learners and assisting them in completing an associate degree or a baccalaureate degree that is aligned to high-wage, high-skill workforce needs. As used in this section, the term “adult learner” means a student who has successfully completed college-level coursework in multiple semesters but has left an institution in good standing before completing his or her degree. ~~The program pilot project shall give priority to adult learners who are veterans or active duty members of the United States Armed Forces.~~

(2) *The Complete Florida Degree Program* ~~pilot project~~ shall be implemented by the University of West Florida, acting as the lead institution, *in coordination with Florida College System institutions, state universities, and private postsecondary institutions, as appropriate. The program; the University of South Florida; Florida State College at Jacksonville; and St. Petersburg College* and shall include the associate, applied baccalaureate, and baccalaureate degree programs that these institutions have selected. Other partnering public postsecondary education institutions shall provide areas of specialization or concentration.

(3) For purposes of selecting the degree programs that will be given priority in the *Complete Florida Degree Program* ~~pilot project~~, the institutions identified in subsection (2) shall partner with public and private job recruitment and placement agencies and use labor market data



and projections, including those identified in the Board of Governors' gap analysis, to identify the specific workforce needs and targeted occupations of the state.

(4) The Complete Florida Degree Program ~~pilot project~~ shall provide adult learners with a single point of access to information and links to innovative online and accelerated distance learning courses, student and library support services, and electronic resources that will guide the adult learner toward the successful completion of a postsecondary degree.

(5) ~~By the end of~~ ~~Beginning with the 2013-2014~~ ~~2012-2013~~ academic year, the Complete Florida Degree Program ~~pilot project~~ shall be implemented and must:

(a) Use the distance learning course catalog established pursuant to s. 1006.73 to communicate course availability to the adult learner.

(b) Develop and implement an advising and student support system that includes the use of degree completion specialists, is based upon best practices and processes, and includes academic and career support services designed specifically for the adult learner. *The program must identify proposed changes to the statewide computer-assisted student advising system established pursuant to s. 1006.73 to assist the adult learner in using the system.*

(c) Use the streamlined, automated, online admissions application process for transient students established pursuant to s. 1006.73. The ~~program pilot project~~ shall identify any additional admissions and registration policies and practices that could be further streamlined and automated for purposes of assisting the adult learner.

(d) Use existing and, if necessary, develop new competency-based instructional and evaluation tools to assess prior performance, experience, and education for the award of college credit in order to reduce the time required for adult learners to complete their degrees. The tools may include the use of the American Council on Education's collaborative link between the United States Department of Defense and higher education through the review of military training and experiences for the award of equivalent college credit for members of the United States Armed Forces.

(e) Develop and implement an evaluation process that collects, analyzes, and provides to the chancellors of the Florida College System and the State University System, the participating postsecondary education institutions, the chairs of the legislative appropriations committees, and the Executive Office of the Governor information on the effectiveness of the ~~program pilot project~~ and the attainment of its goals. Such a process shall include a management information system that collects the appropriate student, programmatic, and fiscal data necessary to complete the evaluation of the ~~program pilot project~~. Institutions involved in the ~~program pilot project~~ shall also collect job placement and employment data on the adult learners who have completed their degrees as a result of the ~~program pilot project~~.

(f) Develop and implement a statewide ~~student recruitment marketing~~ campaign targeted toward ~~recruiting~~ adult learners, particularly veterans and active duty members of the United States Armed Forces, for enrollment in the degree programs offered through the ~~program pilot project~~.

(6) For purposes of the Complete Florida Degree Program ~~pilot project~~, each institution's current tuition and fee structure shall be used. However, all participating institutions shall collaboratively identify the applicable cost components involved in the development and delivery of distance learning courses, collect information on these cost components, and submit the information to the ~~Florida Virtual Campus~~. The chancellors of the Florida College System and the State University System. *The chancellors shall submit a report to the chairs of the legislative appropriations committees no later than December 31, 2014* ~~2013~~, on the need for a differentiated tuition and fee structure for the development and delivery of distance learning courses.

(7) The University of West Florida, in collaboration with *its partners* ~~the University of South Florida, Florida State College at Jacksonville, and St. Petersburg College~~, shall submit to the chairs of the Board of Governors, the State Board of Education, and the legislative appropriations committees no later than *September 1, 2013* ~~June 1, 2012~~, a de-

tailed ~~program project~~ plan that defines the major work activities, student eligibility criteria, timeline, and cost for implementing the ~~Complete Florida Degree Program pilot project~~.

(8) ~~The University of West Florida, in collaboration with the University of South Florida, Florida State College at Jacksonville, and St. Petersburg College, shall develop and implement a transition plan that transfers the administration of the pilot project to the Florida Virtual Campus no later than June 30, 2013.~~

Section 52. Subsection (1) of section 1007.263, Florida Statutes, is amended to read:

1007.263 Florida College System institutions; admissions of students.—Each Florida College System institution board of trustees is authorized to adopt rules governing admissions of students subject to this section and rules of the State Board of Education. These rules shall include the following:

(1) Admissions counseling shall be provided to all students entering college or career credit programs. Counseling shall utilize tests to measure achievement of college-level communication and computation competencies by all students entering college credit programs or tests to measure achievement of basic skills for career education programs as prescribed in s. 1004.91.

Each board of trustees shall establish policies that notify students about, and place students into, adult basic education, adult secondary education, or other instructional programs that provide students with alternatives to traditional college-preparatory instruction, including private provider instruction. A student is prohibited from enrolling in additional college-level courses until the student scores above the cut-score on all sections of the common placement test.

Section 53. Subsection (2) of section 1008.37, Florida Statutes, is amended to read:

1008.37 Postsecondary feedback of information to high schools.—

(2) The Commissioner of Education shall report, by high school, to the State Board of Education, the Board of Governors, and the Legislature, no later than November 30 of each year, on the number of prior year Florida high school graduates who enrolled for the first time in public postsecondary education in this state during the previous summer, fall, or spring term, indicating the number of students whose scores on the common placement test indicated the need for remediation through college-preparatory or *applied academics for adult education* ~~vocational-preparatory~~ instruction pursuant to s. 1004.91 or s. 1008.30.

Section 54. Subsection (3) of section 1009.22, Florida Statutes, is amended to read:

1009.22 Workforce education postsecondary student fees.—

(3)(a) Except as otherwise provided by law, fees for students who are nonresidents for tuition purposes must offset the full cost of instruction. Residency of students shall be determined as required in s. 1009.21. Fee-nonexempt students enrolled in *applied academics for adult education* ~~vocational-preparatory~~ instruction shall be charged fees equal to the fees charged for adult general education programs. Each Florida College System institution that conducts college-preparatory and *applied academics for adult education* ~~vocational-preparatory~~ instruction in the same class section may charge a single fee for both types of instruction.

Section 55. Paragraphs (c) and (d) of subsection (1) of section 1009.25, Florida Statutes, is amended to read:

1009.25 Fee exemptions.—

(1) The following students are exempt from the payment of tuition and fees, including lab fees, at a school district that provides workforce education programs, Florida College System institution, or state university:

(c) A student who is or was at the time he or she reached 18 years of age in the custody of the Department of Children and Family Services or who, after spending at least 6 months in the custody of the department after reaching 16 years of age, was placed in a guardianship by the court. Such exemption includes fees associated with enrollment in *applied*



*academics for adult education career-preparatory instruction. The exemption remains valid until the student reaches 28 years of age.*

(d) A student who is or was at the time he or she reached 18 years of age in the custody of a relative under s. 39.5085 or who was adopted from the Department of Children and Family Services after May 5, 1997. Such exemption includes fees associated with enrollment in *applied academics for adult education career-preparatory instruction. The exemption remains valid until the student reaches 28 years of age.*

Section 56. Subsection (11) is added to section 1009.26, Florida Statutes, to read:

1009.26 Fee waivers.—

(11) *A Florida College System institution may waive any portion of the tuition, the activity and service fee, the financial aid fee, the technology fee, the capital improvement fee, and distance learning fee for the purpose of offering a baccalaureate degree for state residents for which the cost of tuition and the fees specified in this subsection does not exceed \$10,000 for the entire degree program. Waivers provided pursuant to this subsection shall be applicable for upper-level courses not to exceed 100 percent of the number of required credit hours of the baccalaureate degree program for which the student is determined eligible.*

Section 57. Paragraph (b) of subsection (1) and subsection (7) of section 1009.531, Florida Statutes, is amended to read:

1009.531 Florida Bright Futures Scholarship Program; student eligibility requirements for initial awards.—

(1) Effective January 1, 2008, in order to be eligible for an initial award from any of the three types of scholarships under the Florida Bright Futures Scholarship Program, a student must:

(b) Earn a standard Florida high school diploma or its equivalent pursuant to s. 1003.428, s. 1003.4281, s. 1003.4282, ~~s. 1003.429, s. 1003.43, or s. 1003.435~~ unless:

1. The student completes a home education program according to s. 1002.41; or

2. The student earns a high school diploma from a non-Florida school while living with a parent or guardian who is on military or public service assignment away from Florida.

~~(7) To be eligible for an initial award and each renewal award under the Florida Bright Futures Scholarship Program, a student must submit a Free Application for Federal Student Aid which is complete and error free prior to disbursement.~~

Section 58. Subsections (4), (6), and (10) of section 1011.80, Florida Statutes, are amended to read:

1011.80 Funds for operation of workforce education programs.—

(4) Funding for all workforce education programs must be based on cost categories, performance output measures, and performance outcome measures.

(a) The cost categories must be calculated to identify high-cost programs, medium-cost programs, and low-cost programs. The cost analysis used to calculate and assign a program of study to a cost category must include at least both direct and indirect instructional costs, consumable supplies, equipment, and standard program length.

~~(b)1. The performance output measure for career education programs of study is student completion of a career program of study that leads to an occupational completion point associated with a certificate, an apprenticeship program, or a program that leads to an applied technology diploma or an associate in applied science or associate in science degree. Performance output measures for registered apprenticeship programs shall be based on program lengths that coincide with lengths established pursuant to the requirements of chapter 446.~~

~~(b)2. The performance output measure for an adult general education course of study is measurable improvement in student skills. This measure shall include improvement in literacy skills, grade level im-~~

provement as measured by an approved test, or attainment of a State of Florida diploma or an adult high school diploma.

~~(c) The performance outcome measures for adult general workforce education programs are associated with placement and retention of students after reaching a completion point or completing a program of study. These measures include placement or retention in employment that is related to the program of study; placement into or retention in employment in an occupation on the Workforce Estimating Conference list of high wage, high skill occupations with sufficient openings, or other High Wage/High Skill Program occupations as determined by Workforce Florida, Inc.; and placement and retention of participants or former participants in the welfare transition program in employment. Continuing postsecondary education at a level that will further enhance employment is a performance outcome for adult general education programs. Placement and retention must be reported pursuant to ss. 1008.39 and 1008.43.~~

(6)(a) A school district or a Florida College System institution that provides workforce education programs shall receive funds in accordance with distributions for base and performance funding established by the Legislature in the General Appropriations Act. To ensure equitable funding for all school district workforce education programs and to recognize enrollment growth, the Department of Education shall use the funding model developed by the District Workforce Education Funding Steering Committee to determine each district's workforce education funding needs. To assist the Legislature in allocating workforce education funds in the General Appropriations Act, the funding model shall annually be provided to the legislative appropriations committees no later than March 1.

(b) *Performance funding for industry certifications for school district workforce education programs is contingent upon specific appropriation in the General Appropriations Act and shall be determined as follows:*

1. *Occupational areas for which industry certifications may be earned, as established in the General Appropriations Act, are eligible for performance funding. Priority shall be given to the occupational areas emphasized in state, national, or corporate grants provided to Florida educational institutions.*

2. *The Chancellor of Career and Adult Education shall identify the industry certifications eligible for funding on the Postsecondary Industry Certification Funding List approved by the State Board of Education pursuant to s. 1008.44, based on the occupational areas specified in the General Appropriations Act.*

3. *Each school district shall be provided \$1,000 for each industry certification earned by a workforce education student. The maximum amount of funding appropriated for performance funding pursuant to this paragraph shall be limited to \$15 million annually. If funds are insufficient to fully fund the calculated total award, such funds shall be prorated.*

~~(c)(b)~~ A program is established to assist school districts and Florida College System institutions in responding to the needs of new and expanding businesses and thereby strengthening the state's workforce and economy. The program may be funded in the General Appropriations Act. The district or Florida College System institution shall use the program to provide customized training for businesses which satisfies the requirements of s. 288.047. Business firms whose employees receive the customized training must provide 50 percent of the cost of the training. Balances remaining in the program at the end of the fiscal year shall not revert to the general fund, but shall be carried over for 1 additional year and used for the purpose of serving incumbent worker training needs of area businesses with fewer than 100 employees. Priority shall be given to businesses that must increase or upgrade their use of technology to remain competitive.

(10) A high school student dually enrolled under s. 1007.271 in a workforce education program operated by a Florida College System institution or school district career center generates the amount calculated for workforce education funding, including any payment of performance funding, and the proportional share of full-time equivalent enrollment generated through the Florida Education Finance Program for the student's enrollment in a high school. If a high school student is dually enrolled in a Florida College System institution program, including a program conducted at a high school, the Florida College System in-

stitution earns the funds generated for workforce education funding, and the school district earns the proportional share of full-time equivalent funding from the Florida Education Finance Program. If a student is dually enrolled in a career center operated by the same district as the district in which the student attends high school, that district earns the funds generated for workforce education funding and also earns the proportional share of full-time equivalent funding from the Florida Education Finance Program. If a student is dually enrolled in a workforce education program provided by a career center operated by a different school district, the funds must be divided between the two school districts proportionally from the two funding sources. A student may not be reported for funding in a dual enrollment workforce education program unless the student has completed the basic skills assessment pursuant to s. 1004.91. A student who is coenrolled in a K-12 education program and an adult education program may ~~not~~ be reported for purposes of funding in an adult education program. ~~If a student is, except that for the 2011-2012 and 2012-2013 fiscal years, students who are coenrolled in core curricula courses for credit recovery or dropout prevention purposes and does do not have a pattern of excessive absenteeism or habitual truancy or a history of disruptive behavior in school, the student may be reported for funding for up to two courses per year student. Such a student is students are exempt from the payment of the block tuition for adult general education programs provided in s. 1009.22(3)(d) 1009.22(3)(e).~~ The Department of Education shall develop a list of courses to be designated as core curricula courses for the purposes of coenrollment.

Section 59. Subsections (2) and (3) of section 1011.81, Florida Statutes, are renumbered as subsections (4) and (5), respectively, and a new subsection (2) is added to that section, to read:

1011.81 Florida College System Program Fund.—

(2) *Performance funding for industry certifications for Florida College System institutions is contingent upon specific appropriation in the General Appropriations Act and shall be determined as follows:*

(a) *Occupational areas for which industry certifications may be earned, as established in the General Appropriations Act, are eligible for performance funding. Priority shall be given to the occupational areas emphasized in state, national, or corporate grants provided to Florida educational institutions.*

(b) *The Chancellor of the Florida College System shall identify the industry certifications eligible for funding on the Postsecondary Industry Certification Funding List approved by the State Board of Education pursuant to s. 1008.44, based on the occupational areas specified in the General Appropriations Act.*

(c) *Each Florida College System institution shall be provided \$1,000 for each industry certification earned by a student. The maximum amount of funding appropriated for performance funding pursuant to this subsection shall be limited to \$15 million annually. If funds are insufficient to fully fund the calculated total award, such funds shall be prorated.*

Section 60. Subsection (1) and paragraph (a) of subsection (3) are amended and a new subsection (4) of section 1011.905, Florida Statutes, is created to read:

1011.905 Performance funding for state universities.—

(1) *State performance funds for the State University System shall be based on indicators of system and institutional attainment of performance expectations. For the 2012-2013 through at least the 2016-2017 and 2013-2014 fiscal years, the Board of Governors shall review and rank each state university that applies for performance funding, as provided in the General Appropriations Act, based on the following formula:*

(a) Twenty-five percent of a state university's score shall be based on the percentage of employed graduates who have earned degrees *which have a primary focus* in the following programs:

1. *For the 2012-2013 and 2013-2014 fiscal years:*

a. ~~1.~~ Computer and information science;

b. ~~2.~~ Computer engineering;

c. ~~3.~~ Information systems technology;

d. ~~4.~~ Information technology; and

e. ~~5.~~ Management information systems.

*The 2012-2013 award recipients shall receive the same award for 2013-2014.*

2. *For the 2013-2014 and 2014-2015 fiscal years, high-demand programs of emphasis determined by the Board of Governors using the gap-analysis data required by s. 1001.706(5).*

3. *For the 2013-2014 and 2014-2015 fiscal years, a master's degree in cloud virtualization technology and related large data management.*

(b) Twenty-five percent of a state university's score shall be based on the percentage of graduates who have earned baccalaureate degrees in the programs in paragraph (a) and who have earned industry certifications identified on the *Postsecondary Industry Certification Funding List approved by the State Board of Education pursuant to s. 1008.44* in a related field from a Florida College System institution or state university prior to graduation.

(c) Fifty percent of a state university's score shall be based on factors determined by the Board of Governors which relate to increasing the probability that graduates who have earned degrees in the programs described in paragraph (a) will be employed in high-skill, high-wage, and high-demand employment.

(3)(a) Each year, the Board of Governors shall award up to \$15 million to the highest-ranked state universities *in support of each program identified in paragraph (1)(a) from funds appropriated for the purposes in this section and as specified in the General Appropriations Act.* The award per state university shall be a minimum of 25 percent of the total amount appropriated pursuant to this section.

Section 61. *By October 31, 2013, the State Board of Education shall recommend to the Legislature a methodology for allocating performance funding for Florida College System institutions, and the Board of Governors shall recommend to the Legislature a methodology for allocating performance funding for State University System institutions, based on the percentage of graduates employed or enrolled in further education, the average wages of employed graduates, and the average cost per graduate.*

Section 62. This act shall take effect July 1, 2013.

And the title is amended as follows:

Delete lines 156-216 and insert: creating s. 1008.44, F.S.; providing requirements for industry certifications, an industry certification funding list, and a postsecondary industry certification funding list for distribution of funding to school districts and Florida College System institutions; amending s. 1011.61, F.S.; revising provisions relating to funding for students in virtual instruction programs, the Florida Virtual School, and regular instructional programs based on student completion of end-of-course assessments; amending s. 1011.62, F.S.; revising provisions relating to bonuses awarded to teachers providing advanced placement instruction; revising the calculation of additional full-time equivalent membership based on completion of career-themed courses and issuance of industry certification; providing for teacher bonuses related to industry certification instruction; providing for certain recognitions and performance payments to schools in which students earn digital competency certificates; amending ss. 1012.22 and 1012.56, F.S.; conforming provisions; amending s. 1012.98, F.S.; revising requirements for professional development systems developed by school districts; providing that students participating in an accelerated high school graduation option may continue participation; providing a directive to the Division of Law Revision and Information; amending s. 1001.706, F.S.; requiring the strategic plan of the Board of Governors to include criteria for designating high-demand degree programs of emphasis; creating s. 1001.7065, F.S.; creating the preeminent state research universities program; establishing a collaborative partnership between the Board of Governors and the Legislature to elevate the academic and research preeminence of the highest-performing state research universities; establishing academic and research excellence standards for a university to be designated a preeminent state research university; providing for a preeminent state research university to establish an institute for online learning; directing the Board of Governors to convene

an advisory board; providing duties and responsibilities of the advisory board, the university, and the Board of Governors to provide high-quality, fully online baccalaureate degree programs, including establishment of a tuition structure for the institute; providing for the award of funding to preeminent state research universities based upon performance; authorizing a preeminent state research university to establish special course requirements; providing for preeminent state research university flexibility; encouraging the Board of Governors to promote additional programs of excellence; amending s. 1004.02, F.S.; revising definitions relating to adult general education and instruction to attain academic and workforce readiness skills; creating s. 1004.082, F.S.; providing for support for talent retention programs for certain middle school and high school students; amending s. 1004.91, F.S.; revising requirements for basic skills instruction for career education programs; amending s. 1004.93, F.S.; requiring certain adult education students to complete action-steps-to-employment; amending s. 1006.735, F.S.; establishing the Complete Florida Degree Program and providing requirements for its implementation; amending s. 1007.263, F.S.; conforming provisions; amending s. 1008.37, F.S.; conforming provisions; amending s. 1009.22, F.S.; revising provisions relating to fees for students in adult education programs; amending s. 1009.25, F.S.; revising provisions relating to fee exemptions; amending s. 1009.26, F.S.; providing for fee waivers for certain baccalaureate degree programs; amending s. 1009.531, F.S.; deleting an eligibility requirement for a Florida Bright Futures Scholarship Program award; amending s. 1011.80, F.S.; revising provisions relating to the basis for funding workforce education programs; providing requirements for performance funding for industry certifications for school district workforce education programs; revising provisions relating to funding for coenrolled students; amending s. 1011.81, F.S.; providing requirements for performance funding for industry certifications for Florida College System institutions; providing for performance funding based on accountability metrics; amending s. 1011.905, F.S.; revising the formula upon which performance funding for state universities is based and awarded; requiring the State Board of Education and the Board of Governors to provide recommendations to the Legislature by a specified date; providing an effective date.

## MOTION

On motion by Senator Legg, by the required two-thirds vote, consideration of the following amendment was allowed:

Senator Legg moved the following amendment to **Amendment 3** which was adopted:

**Amendment 3A (753158)**—Delete lines 1238 and 1239 and insert:  
3. *Each school district shall be provided \$1,000 for each*

**Amendment 3** as amended was adopted.

Pursuant to Rule 4.19, **CS for CS for SB 1076** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Galvano—

**CS for CS for SB 878**—A bill to be entitled An act relating to education accountability; amending s. 1002.22, F.S.; requiring the State Board of Education to notify the Legislature of any major changes in federal law which may affect the state's K-20 education performance accountability system; amending s. 1004.015, F.S.; providing that one of the purposes of the Higher Education Coordinating Council is to facilitate solutions to data issues identified by the Articulation Coordinating Committee to improve the K-20 education performance accountability system; revising the guiding principles for recommendations of the Higher Education Coordinating Council; amending s. 1005.22, F.S.; revising the duties of the Commission for Independent Education with regard to collecting and distributing current data regarding institutions licensed by the commission; providing reporting requirements; requiring the commission to annually report the data to the department by a specified date; amending s. 1007.01, F.S.; requiring the Articulation Coordinating Committee to make recommendations related to statewide policies and issues regarding access, quality, and reporting of data maintained by the K-20 data warehouse; revising the committee's duties related to collecting and reporting of statewide education data; amending s. 1008.31, F.S.; requiring the Board of Governors to make available

to the Department of Education all data within the State University Database System which is to be integrated into the K-20 data warehouse; requiring the Commissioner of Education to have access to certain data for the added purpose of providing data to organizations and certain authorized representatives; requiring all public educational institutions to annually provide data from the prior year to the K-20 data warehouse in a format based on data elements identified by the commissioner; requiring colleges and universities eligible to participate in the William L. Boyd, IV, Florida Resident Access Grant Program to report current data from the prior year for each student who receives state funds in a format prescribed by the Department of Education; providing reporting requirements; requiring these colleges and universities to annually report the data to the department by a specified date; requiring the commissioner to collaborate with the Department of Economic Opportunity to develop procedures for the ability to tie student-level data to student and workforce outcome data contained in the Wage Record Interchange System; deleting a provision that requires the commissioner to prepare a report that assists the school districts in eliminating or consolidating paperwork, data, and reports by providing suggestions, technical assistance, and guidance; requiring the commissioner to improve and streamline by a specified date access to data maintained by the K-20 data warehouse by creating and fully implementing a web-based interface and a self-service, restricted access component of the K-20 data warehouse called the "Research Engine"; providing requirements for the Research Engine; providing requirements for a written agreement to access the Research Engine; requiring the adoption of rules and procedures; deleting a provision that requires the commissioner to use existing data being collected to reduce duplication and minimize paperwork; requiring the Department of Education to share education records of students which may contain students' personally identifiable information with organizations and authorized representatives pursuant to the studies and audit and evaluation exceptions under the Family Educational Rights and Privacy Act; amending s. 1008.34, F.S.; revising provisions relating to schools that are assigned school grades, including colocated schools, and students whose assessment data is used in determining school grades; amending s. 1008.341, F.S.; revising provisions relating to alternative schools that are assigned a school improvement rating; revising the student data used in determining an alternative school's school improvement rating; providing requirements for the content and distribution of student report cards for alternative schools; amending s. 1008.385, F.S.; requiring the commissioner to provide information relating to master school identification numbers for purposes of the comprehensive management information system; providing an effective date.

—was read the second time by title.

Senator Galvano moved the following amendments which were adopted:

**Amendment 1 (654774) (with title amendment)**—Delete lines 247-251 and insert:

(d) *The commissioner shall collaborate with the executive director of the Department of Economic Opportunity to develop procedures for the ability to tie student-level data to student and workforce outcome data*  
~~The commissioner shall continuously monitor~~

And the title is amended as follows:

Delete lines 49 and 50 and insert: workforce outcome data; deleting a provision that requires

**Amendment 2 (700376)**—Delete lines 295-297 and insert:

b. *Capable of providing student-level data; however, the department shall remove personally identifiable information from education records of students, or any other information that is confidential pursuant to applicable law. The personally identifiable information must be redacted, aggregated, or otherwise protected by de-identification, anonymization, or any combination thereof. To satisfy confidentiality protections of this section and 20 U.S.C. s. 1232g, also known as the Family Educational Rights and Privacy Act (FERPA), the department may assign an anonymized random identification number to each record before providing access to data. The department shall develop and the State Board of Education shall adopt rules regarding redacting and anonymizing personally identifiable information.*

*Data provided to organizations and authorized representatives pursuant to subsection (4) may not include personally identifiable information regarding a student's or a student's family's juvenile delinquency records, criminal records, medical records, biometric information, religious affiliations or beliefs, political affiliations or beliefs, and sexual behavior or attitudes.*

**Amendment 3 (442164) (with title amendment)**—Delete lines 316-345 and insert:

(III) *Identification of the FERPA exception relied upon to obtain data.*

(IV) *Requirements regarding procedures for securing data, including, but not limited to, a data security plan. The Department of Education shall reserve the right to conduct security audits or reviews as necessary.*

(V) *Requirements limiting the use of data to meet only the purpose stated in the written agreement.*

(VI) *Requirements establishing disciplinary policies for organizations and authorized representatives that violate FERPA or the written agreement.*

(VII) *Prohibitions regarding access to or use of data obtained pursuant to the written agreement by anyone not authorized to have such access or use by the department.*

(VIII) *Requirements regarding destruction of data that are received pursuant to the written agreement and specifications of when the information must be destroyed.*

(IX) *Requirements regarding background screening of organizations and authorized representatives.*

(X) *Requirements regarding the assessment of liquidated damages for unauthorized disclosure of data or for violation of terms and conditions of the written agreement. In addition, if the department determines that an organization or authorized representative, pursuant to subsection (4), has violated the terms and conditions of the written agreement or FERPA, the violation, as determined by the department, is grounds for termination of data access privileges for 10 years. The department may also impose an administrative penalty of up to \$1,000 per violation.*

And the title is amended as follows:

Delete line 62 and insert: *agreement to access the Research Engine; providing termination of data access privileges and an administrative penalty for violating the written agreement; requiring the*

**Amendment 4 (427036) (with title amendment)**—Delete lines 398-423 and insert:

(4) **ACCESS TO THE K-20 DATA WAREHOUSE.**—*Pursuant to 20 U.S.C. s. 1232g(b)(1)(F), and the federal regulations issued pursuant thereto, organizations conducting studies for, or on behalf of, educational agencies and institutions as provided in 34 C.F.R. 99.31(a)(6) shall be given access to data maintained by the K-20 data warehouse in a manner consistent with this section, ss. 1002.22, 1002.221, 1006.52, and FERPA. Pursuant to 20 U.S.C. s. 1232g(b)(3)(C), authorized representatives conducting an audit or an evaluation of a federal- or state-supported education program as provided in 34 C.F.R. 99.31(a)(3), shall be given access to the data maintained by the K-20 data warehouse in a manner consistent with this section, ss. 1002.22, 1002.221, 1006.52, and FERPA.*

(a) *Requests by organizations or authorized representatives for access to data with the exception of requests from the Executive Office of the Governor, the Florida Legislature, the Florida Auditor General, and the Office of Program Policy Analysis and Government Accountability, shall be submitted through the Research Engine established pursuant to subparagraph (3)(e)2. Access to the Research Engine is not conditioned upon or limited to studies, audits, or evaluations that support the research agenda, interests, or priorities of the State Board of Education, the commissioner, or the department.*

(b) *Authorized representatives include designated individuals from the Executive Office*

And the title is amended as follows:

Delete lines 67 and 68 and insert: *share data with*

**Amendment 5 (868126) (with title amendment)**—Delete lines 434-586 and insert:

Section 6. Subsection (1) and paragraph (a) of subsection (3) of section 1008.34, Florida Statutes, are amended to read:

1008.34 School grading system; school report cards; district grade.—

(1) **ANNUAL REPORTS.**—The Commissioner of Education shall prepare annual reports of the results of the statewide assessment program which describe student achievement in the state, each district, and each school. The commissioner shall prescribe the design and content of these reports, which must include descriptions of the performance of all schools participating in the assessment program and all of their major student populations as determined by the commissioner. The report must also include the percent of students performing at or above grade level and making ~~a year's learning gains~~ *growth in a year's time* in reading and mathematics. The provisions of s. 1002.22 pertaining to student records apply to this section.

(3) **DESIGNATION OF SCHOOL GRADES.**—

(a) *Beginning with the 2013-2014 school year, each school that has students who are tested and included in the school grading system shall receive a school grade if the number of its students tested on statewide assessments pursuant to s. 1008.22 meets or exceeds the minimum sample size of 10, except as follows:*

~~1. A school shall not receive a school grade if the number of its students tested and included in the school grading system is less than the minimum sample size necessary, based on accepted professional practice, for statistical reliability and prevention of the unlawful release of personally identifiable student data under s. 1002.22 or 20 U.S.C. s. 1232g.~~

~~1.2.~~ An alternative school may choose to receive a school grade under this section or a school improvement rating under s. 1008.341. For charter schools that meet the definition of an alternative school pursuant to State Board of Education rule, the decision to receive a school grade is the decision of the charter school governing board.

~~2.3.~~ A school that serves any combination of students in kindergarten through grade 3 which does not receive a school grade because its students are not tested and included in the school grading system shall receive the school grade designation of a K-3 feeder pattern school identified by the Department of Education and verified by the school district. A school feeder pattern exists if at least 60 percent of the students in the school serving a combination of students in kindergarten through grade 3 are scheduled to be assigned to the graded school.

~~3.~~ *If a colocated school does not earn a school grade or school improvement rating for the performance of its students, the student performance data of all schools operating at the same facility must be aggregated to develop a school grade that will be assigned to all schools at that location. A colocated school is a school that has its own unique master school identification number, provides for the education of each of its enrolled students, and operates at the same facility as another school that has its own unique master school identification number and provides for the education of each of its enrolled students.*

And the title is amended as follows:

Delete lines 74 and 75 and insert: *including colocated schools;*

Pursuant to Rule 4.19, **CS for CS for SB 878** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

## REPORTS OF COMMITTEES

Pursuant to Rule 4.17(1), the Rules Chair, Majority Leader and Minority Leader submit the following bills to be placed on the Special Order Calendar for Thursday, April 4, 2013: CS for SB 86, CS for CS for SB 92, CS for CS for SB 878, CS for SB 1030, CS for SB 1076, CS for SB 1660, CS for SB 1720, SB 1762.

Respectfully submitted,  
*John Thrasher*, Rules Chair  
*Lizbeth Benacquisto*, Majority Leader  
*Christopher L. Smith*, Minority Leader

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The Committee on Health Policy recommends the following pass: SB 998 with 1 amendment

**The bill was referred to the Committee on Banking and Insurance under the original reference.**

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The Committee on Appropriations recommends the following pass: CS for SB 444; SB 1802; SB 1810

**The bills were placed on the Calendar.**

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The Committee on Environmental Preservation and Conservation recommends a committee substitute for the following: SB 1684

**The bill with committee substitute attached was referred to the Committee on Agriculture under the original reference.**

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The Committee on Environmental Preservation and Conservation recommends a committee substitute for the following: SB 1074

**The bill with committee substitute attached was referred to the Committee on Appropriations under the original reference.**

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The Committee on Education recommends a committee substitute for the following: SB 1388

**The bill with committee substitute attached was referred to Appropriations Subcommittee on Education under the original reference.**

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The Committee on Community Affairs recommends a committee substitute for the following: CS for SB 554

The Committee on Governmental Oversight and Accountability recommends a committee substitute for the following: SB 1490

The Committee on Regulated Industries recommends a committee substitute for the following: SB 642

**The bills with committee substitute attached contained in the foregoing reports were referred to Appropriations Subcommittee on Finance and Tax under the original reference.**

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The Committee on Banking and Insurance recommends a committee substitute for the following: SB 1046

**The bill with committee substitute attached was referred to Appropriations Subcommittee on General Government under the original reference.**

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The Committee on Children, Families, and Elder Affairs recommends committee substitutes for the following: SB 548; SB 1650

The Committee on Health Policy recommends a committee substitute for the following: SB 1482

**The bills with committee substitute attached contained in the foregoing reports were referred to Appropriations Subcommittee on Health and Human Services under the original reference.**

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The Committee on Governmental Oversight and Accountability recommends a committee substitute for the following: SB 1004

**The bill with committee substitute attached was referred to Appropriations Subcommittee on Transportation, Tourism, and Economic Development under the original reference.**

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The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: SB 472

**The bill with committee substitute attached was referred to the Committee on Banking and Insurance under the original reference.**

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The Committee on Judiciary recommends a committee substitute for the following: SB 1210

The Committee on Regulated Industries recommends a committee substitute for the following: SB 1048

**The bills with committee substitute attached contained in the foregoing reports were referred to the Committee on Children, Families, and Elder Affairs under the original reference.**

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The Committee on Banking and Insurance recommends committee substitutes for the following: SB 262; SB 324; SB 550

The Committee on Judiciary recommends a committee substitute for the following: SB 1300

**The bills with committee substitute attached contained in the foregoing reports were referred to the Committee on Commerce and Tourism under the original reference.**

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The Committee on Banking and Insurance recommends a committee substitute for the following: SB 1410

The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: SB 738

The Committee on Commerce and Tourism recommends a committee substitute for the following: SB 582

**The bills with committee substitute attached contained in the foregoing reports were referred to the Committee on Community Affairs under the original reference.**

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The Committee on Banking and Insurance recommends committee substitutes for the following: SB 242; SB 834

**The bills with committee substitute attached were referred to the Committee on Governmental Oversight and Accountability under the original reference.**

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The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: SB 1724

The Committee on Community Affairs recommends a committee substitute for the following: CS for SB 500

The Committee on Judiciary recommends a committee substitute for the following: SB 1384

**The bills with committee substitute attached contained in the foregoing reports were referred to the Committee on Health Policy under the original reference.**

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The Committee on Banking and Insurance recommends a committee substitute for the following: SB 836

The Committee on Children, Families, and Elder Affairs recommends committee substitutes for the following: SB 196; SB 384; SB 1682

**The bills with committee substitute attached contained in the foregoing reports were referred to the Committee on Judiciary under the original reference.**

The Committee on Judiciary recommends a committee substitute for the following: SB 490

**The bill with committee substitute attached was referred to the Committee on Regulated Industries under the original reference.**

The Committee on Community Affairs recommends committee substitutes for the following: CS for SB 600; CS for SB 682

The Committee on Judiciary recommends a committee substitute for the following: CS for CS for SB 390

The Committee on Transportation recommends a committee substitute for the following: CS for SB 972

**The bills with committee substitute attached contained in the foregoing reports were referred to the Committee on Rules under the original reference.**

The Committee on Community Affairs recommends a committee substitute for the following: SB 1716

**The bill with committee substitute attached was referred to the Committee on Transportation under the original reference.**

The Committee on Appropriations recommends a committee substitute for the following: SB 1258

The Committee on Rules recommends a committee substitute for the following: CS for SB 306

**The bills with committee substitute attached were placed on the Calendar.**

## REPORTS OF SUBCOMMITTEES

Appropriations Subcommittee on Criminal and Civil Justice recommends the following pass: CS for SB 400; CS for SB 1126; CS for SB 1372

Appropriations Subcommittee on General Government recommends the following pass: CS for SB 852; SB 936; CS for SB 1686

**The bills contained in the foregoing reports were referred to the Committee on Appropriations under the original reference.**

## INTRODUCTION AND REFERENCE OF BILLS

### FIRST READING

By the Committee on Appropriations—

**SB 1500**—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 2013, and ending June 30, 2014, to pay salaries, and other expenses, capital outlay-buildings, and other improvements, and for other specified purposes of the various agencies of state government; providing an effective date.

—was placed on the Calendar pursuant to Rule 4.6(1).

By the Committee on Appropriations—

**SB 1502**—A bill to be entitled An act relating to implementing the General Appropriations Act; providing legislative intent; incorporating by reference certain calculations of the Florida Education Finance Program for the 2013-2014 fiscal year; amending s. 216.292, F.S.; author-

izing the transfer of funds between appropriation categories to fund fixed capital outlay projects for charter schools upon certain approval; incorporating by reference certain calculations of the Medicaid Low-Income Pool, Disproportionate Share Hospital, and Hospital Exemptions Programs for the 2013-2014 fiscal year; prohibiting the Department of Children and Families from requiring managing entities to conduct provider network procurement during the next fiscal year; providing requirements governing the continuation of Phase 3 of the Department of Health's Florida Onsite Sewage Nitrogen Reduction Strategies Study; specifying certain prohibitions before completion of the study; prioritizing which categories of individuals on the Agency for Persons with Disabilities wait list will be offered a slot on the Medicaid home and community-based waiver programs; providing that individuals remaining on the wait list are not entitled to an administrative proceeding; amending s. 216.262, F.S.; authorizing the Department of Corrections to submit a budget amendment for additional positions to operate additional prison bed capacity under certain circumstances; authorizing the Department of Legal Affairs to spend certain appropriated funds on programs that were funded by the department from specific appropriations in general appropriations acts in previous years; amending s. 932.7055, F.S.; authorizing a municipality to expend funds from its special law enforcement trust fund to reimburse the municipality's general fund; requiring the Department of Juvenile Justice to comply with specified reimbursement limitations with respect to payments to hospitals or health care providers for health care services; authorizing certain payments pursuant to a contracted rate only until the contract expires or is renewed; defining the term "hospital" for purposes of such limitations; amending s. 215.18, F.S.; providing for trust fund loans to the state court system sufficient to meet its appropriation; providing that any funds remaining in the Clerks of the Court Trust Fund remain available to the clerks; amending s. 29.008, F.S., relating to county funding of court-related functions; providing counties with an exemption from the requirement to annually increase certain expenditures by a specified percentage; providing performance and reporting requirements for the Department of Corrections relating to the implementation of proviso language in the appropriations act; providing salary sanctions for failing to meet those requirements; requiring the Department of Management Services to use certain interest earnings to fund the administration of the MyFlorida.com portal; directing the Department of Management Services to use a tenant broker to renegotiate certain leases and provide a report to the Executive Office of the Governor and the Legislature; authorizing funds available in the Audit and Warrant Clearing Trust Fund to be available for certain interest payments to the Federal Government; amending s. 375.041, F.S.; providing for the transfer of moneys from the Land Acquisition Trust Fund to support the Total Maximum Daily Loads Program; providing for the transfer of moneys in the Land Acquisition Trust Fund to the Save Our Everglades Trust Fund for Everglades restoration; amending s. 373.59, F.S.; revising the allocation of moneys from the Water Management Lands Trust Fund; amending s. 403.7095, F.S.; requiring the Department of Environmental Protection to award a specified amount in grants to certain counties for solid waste programs; amending s. 259.105, F.S.; providing that certain funds in the Florida Forever Trust Fund be distributed to the Division of State Lands for certain Board of Trustees Florida Forever Priority List land acquisition projects; amending s. 339.135, F.S.; authorizing the Department of Transportation to use appropriated funds for land acquisition, design, and construction of multiuse trails and related facilities; amending s. 335.065, F.S.; authorizing the Department of Transportation to use certain funds for the acquisition and development of a system of interconnected multi-use trails; amending s. 339.08, F.S.; authorizing the Department of Transportation to expend funds to pay certain administrative costs of the multicounty transportation authority established under ch. 343, F.S.; authorizing the Executive Office of the Governor to transfer funds between departments for purposes of aligning amounts paid for risk management premiums and for purposes of aligning amounts paid for human resource management services; amending s. 110.123, F.S., relating to the state group insurance program; providing the amounts of the state's monthly contribution; amending s. 112.24, F.S.; providing conditions on the assignment of an employee of a state agency; providing that the annual salary of the members of the Legislature be maintained at a specified level; reenacting s. 215.32, F.S.; relating to the source and use of certain trust funds; reenacting s. 215.5601(4)(b), F.S., relating to the administration of the Lawton Chiles Endowment Fund; providing a legislative determination that the issuance of new debt is in the best interests of the state and necessary to address a critical state emergency; limiting the use of travel funds to activities that are critical to an agency's mission; providing

exceptions; authorizing certain agencies to request the transfer of resources between Data Processing Services appropriation categories and appropriation categories for operation based upon changes to the data center services consolidation schedule; authorizing the Executive Office of the Governor to transfer funds for use by the state's designated primary data centers; reenacting and amending s. 110.12315, F.S., relating to the state employee prescription drug program; updating provisions specifying copayment amounts; repealing section 53, Laws of Florida, providing for the reversion of provisions relating to the prescription drug program to the 2010 statutes; providing for reversion of statutory text of certain provisions; providing for the effect of a veto of one or more specific appropriations or proviso to which implementing language refers; providing for the continued operation of certain provisions notwithstanding a future repeal or expiration provided by this act; providing for severability; providing effective dates.

—was placed on the Calendar pursuant to Rule 4.6(1).

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By the Committee on Appropriations—

**SB 1504**—A bill to be entitled An act relating to state employees; providing for the resolution of collective bargaining issues at impasse between the state and certified bargaining units of state employees; providing an effective date.

—was placed on the Calendar pursuant to Rule 4.6(1).

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By the Committee on Appropriations—

**SB 1506**—A bill to be entitled An act relating to trust funds; creating s. 282.221, F.S.; creating the State Technology Working Capital Trust Fund within the Department of State Technology; providing for the purpose of the trust fund and sources of funds; providing for future review and termination or recreation of the trust fund; providing a contingent effective date.

—was placed on the Calendar pursuant to Rule 4.6(1).

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By the Committee on Appropriations—

**SB 1508**—A bill to be entitled An act relating to court-appointed counsel; amending s. 27.40, F.S.; eliminating limited registry provisions; amending s. 27.5304, F.S.; revising statutory caps for certain flat fees; providing an effective date.

—was placed on the Calendar pursuant to Rule 4.6(1).

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By the Committee on Appropriations—

**SB 1510**—A bill to be entitled An act relating to postconviction capital collateral proceedings; amending s. 27.701, F.S.; providing for the elimination of a capital collateral counsel pilot program in the northern region of the state; amending s. 27.702, F.S.; requiring each capital collateral regional counsel to provide a report to the Justice Administrative Commission; amending ss. 27.710 and 27.711, F.S.; providing for the assumption of certain duties of the Chief Financial Officer by the Justice Administrative Commission; providing an effective date.

—was placed on the Calendar pursuant to Rule 4.6(1).

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By the Committee on Appropriations—

**SB 1512**—A bill to be entitled An act relating to clerks of court; transferring the Clerks of the Court Trust Fund from the Justice Administrative Commission to the Department of Revenue; amending s. 11.90, F.S.; providing additional duties of the Legislative Budget Commission relating to clerks of court; amending s. 28.241, F.S.; revising distribution of filing fees; revising references to trust funds; repealing s. 28.2455, F.S., relating to the transfer of trust funds in excess of the amount needed for clerk budgets; amending s. 28.246, F.S.; conforming provisions to changes made by the act; amending s. 28.35, F.S.; revising duties of the corporation; defining terms; providing requirements for annual submission of a proposed budget and related information; re-

vising provisions concerning functions that may and may not be funded from specified sources; revising distribution of the corporation's audit report; amending s. 28.36, F.S.; specifying that only certain functions may be funded from fees, service charges, costs, and fines retained by the clerks of the court; revising provisions relating to preparation of budget requests by clerks; providing for reporting and certification of revenue deficits; providing procedures for retention of additional revenues by clerks in the event of a deficit; providing for the release of funds from a specified trust fund to relieve such a deficit in certain circumstances; providing for increases in previously authorized budgets in certain circumstances; deleting provisions relating to review of budgets and related information; creating s. 28.365, F.S.; providing that clerks of court and the Florida Clerks of Court Operations Corporation are subject to specified procurement requirements for expenditures made pursuant to specified provisions; amending s. 28.37, F.S.; providing that a portion of all fines, fees, service charges, and costs collected by the clerks of the court that exceeds a specified portion of the clerk's annual budget be remitted to a specified trust fund; providing for remission of certain excess collections to the department for deposit into the General Revenue Fund on specified dates; providing for deposit of such funds in a specified trust fund in certain circumstances; providing for collection of certain funds by the department; amending s. 34.041, F.S.; conforming provisions to changes made by the act; revising distribution of certain fees; amending s. 142.01, F.S.; deleting provisions specifying that certain moneys are considered state funds; amending s. 213.131, F.S.; conforming provisions to changes made by the act; amending s. 215.22, F.S.; exempting certain moneys deposited in the Clerks of the Court Trust Fund from a specified deduction; specifying the authorized budget for the clerks of the circuit court and the corporation for specified periods; requiring the corporation to determine budget amounts for the individual clerks for those periods; providing an effective date.

—was placed on the Calendar pursuant to Rule 4.6(1).

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By the Committee on Appropriations—

**SB 1514**—A bill to be entitled An act relating to education funding; amending s. 1002.3305, F.S.; revising a definition; authorizing the state's program of education to receive state and federal funding that may be transferred between state agencies to provide for operations of the college-preparatory boarding academy; authorizing the college-preparatory boarding academy to enter into an agreement with the Department of Children and Families to admit certain students and to develop an alternative admissions process; amending s. 1002.45, F.S.; authorizing a district to report full-time equivalent membership for credit earned by a student who is enrolled in a virtual education course under certain circumstances; amending s. 1003.498, F.S.; authorizing a district to report full-time equivalent membership for credit earned by a student who is enrolled in a virtual education course under certain circumstances; amending s. 1009.24, F.S.; authorizing a university to increase its athletic fee to defray the costs associated with adding National Collegiate Athletic Association Division II football; amending s. 1011.61, F.S.; revising the definition of the term "full-time equivalent student" as it relates to the Florida Education Finance Program; amending s. 1011.62, F.S.; revising the fiscal years in which certain school districts may use funds for supplemental academic instruction and research-based reading instruction to provide additional intensive reading instruction; revising the rate of nonvoted current operating discretionary millage that is used to calculate a discretionary millage compression supplement; eliminating the annual virtual education contribution in the Florida Education Finance Program; amending s. 1011.71, F.S.; conforming a cross-reference; authorizing a district school board to levy additional millage for critical capital outlay needs under certain circumstances; deleting a provision that prohibits additional millage and state funds from being included in the calculation of the Florida Education Finance Program; deleting a provision that authorizes the districts to levy millage that was authorized by the voters in the 2010 general election; amending s. 1011.80, F.S.; revising the funding for operation of workforce education programs with regard to students who are coenrolled in a K-12 education program and an adult education program; amending s. 1013.64, F.S.; revising the capital outlay full-time equivalent membership used to calculate the amount that district school boards receive from the Public Education Capital Outlay and Debt Service Trust Fund; specifying the formula to be used for the 2012-2013 fiscal year in calculating the alternate compliance calculation amounts to the class size operating categorical fund, notwithstanding certain



other provisions of law; requiring that the Commissioner of Education modify payments to school districts; providing effective dates.

—was placed on the Calendar pursuant to Rule 4.6(1).

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**SB 1516**—Previously referenced.

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By the Committee on Appropriations—

**SB 1518**—A bill to be entitled An act relating to Department of Children and Families; amending s. 394.9082, F.S.; providing for the carrying forward, expenditure, and return of unexpended funds paid to entities contracting with the department to manage the delivery of behavioral health services; amending s. 409.16713, F.S.; revising recurring core services funding for community-based care lead agencies; providing an effective date.

—was placed on the Calendar pursuant to Rule 4.6(1).

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By the Committee on Appropriations—

**SB 1520**—A bill to be entitled An act relating to Medicaid; amending s. 395.602, F.S.; providing that certain rural hospitals remain rural hospitals under specified circumstances; amending s. 409.905, F.S.; requiring the Agency for Health Care Administration to implement a prospective payment system for inpatient hospital services using diagnosis-related groups (DRGs); deleting provisions directing the agency to develop a plan to convert hospital reimbursement for inpatient services to a prospective payment system; requiring hospital reimbursement for outpatient services to be based on allowable costs; providing that adjustments may not be made after a certain date; providing for the reconciliation of errors in source data or calculations; amending s. 409.908, F.S.; revising exceptions to limitations on hospital reimbursement for inpatient services; providing parameters for submission of letters of agreement by local governmental entities to the agency relating to funds for special payments; creating s. 409.909, F.S.; establishing the State-wide Medicaid Residency Program; providing the purposes of the program; providing definitions; providing a formula and limitations for allocating funds to participating hospitals; authorizing the agency to adopt rules; amending s. 409.911, F.S.; updating references to data used for calculations in the disproportionate share program; amending s. 409.9118, F.S.; amending parameters for the disproportionate share program for specialty hospitals; limiting reimbursement to tuberculosis services provided under contract with the Department of Health; providing an effective date.

—was placed on the Calendar pursuant to Rule 4.6(1).

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By the Committee on Appropriations—

**SB 1522**—A bill to be entitled An act relating to the Department of Highway Safety and Motor Vehicles; amending s. 320.0804, F.S.; revising and directing the distribution of the vehicle license tax surcharge into the State Transportation Trust Fund and the Highway Safety Operating Trust Fund; providing an effective date.

—was placed on the Calendar pursuant to Rule 4.6(1).

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**Senate Bills 1524-1834**—Previously published.

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**SR 1836**—Not referenced.

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By the Committee on Military and Veterans Affairs, Space, and Domestic Security—

**SB 1838**—A bill to be entitled An act relating to homestead property tax exemptions; amending s. 196.082, F.S.; deleting a requirement that a disabled veteran be a resident of this state at the time of entering military service in order to receive a discount on the ad valorem tax owed on his or her homestead property; providing for retroactivity; providing an effective date.

—was referred to the Committees on Appropriations Subcommittee on Finance and Tax; and Appropriations.

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By the Committee on Military and Veterans Affairs, Space, and Domestic Security—

**SB 1840**—A bill to be entitled An act relating to development permits; amending ss. 125.022 and 166.033, F.S.; requiring counties and municipalities to attach certain disclaimers and include certain permit conditions when issuing development permits; requiring counties and municipalities to demonstrate that applicable permits have been obtained prior to development in mapped flood hazard areas; providing an effective date.

—was referred to the Committees on Community Affairs; and Rules.

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By the Committee on Banking and Insurance—

**SB 1842**—A bill to be entitled An act relating to health insurance; creating s. 624.25, F.S.; providing that a provision of the Florida Insurance Code applies unless it conflicts with a provision of the Patient Protection and Affordable Care Act (PPACA); creating s. 624.26, F.S.; authorizing the Office of Insurance Regulation to review forms and conduct market conduct examinations for compliance with PPACA and to report potential violations to the federal Department of Health and Human Services; authorizing the Division of Consumer Services of the Department of Financial Services to respond to complaints related to PPACA and to report violations to the office and the Department of Health and Human Services; providing that certain determinations by the office or the Department of Financial Services are not subject to certain challenges under ch. 120, F.S.; amending ss. 624.34, 626.022, and 626.207, F.S.; conforming provisions to changes made by this act with respect to the licensure of navigators under the Florida Insurance Code; providing a directive to the Division of Law Revision and Information; creating s. 626.995, F.S.; providing for the licensure of navigators; providing definitions; providing license requirements and qualifications; specifying licensure conduct; providing for disciplinary actions; providing for the discontinuance of the license; prohibiting concurrent licensure as an insurance agent; authorizing the Department of Financial Services to adopt rules; amending s. 627.402, F.S.; providing definitions for “grandfathered health plan,” “nongrandfathered health plan,” and “PPACA”; amending s. 627.410, F.S.; providing an exception to the prohibition against an insurer issuing a new policy form after discontinuing the availability of a similar policy form when the form does not comply with PPACA; requiring the experience of grandfathered health plans and nongrandfathered health plans to be separated; providing that nongrandfathered health plans are not subject to rate review or approval by the office; specifying that such rates for such health plans must be filed with the office and are exempt from other specified rate requirements; requiring insurers and health maintenance organizations issuing such health plans to include a notice of the estimated impact of PPACA on monthly premiums with the first issuance or renewal of the policy; requiring the Financial Services Commission to adopt the notice format by rule; requiring the notice to be filed with the office for informational purposes; providing for the calculation of the estimated premium impact, which must be included in the notice; requiring the office, in consultation with the department, to develop a summary of the impact to be made available on their respective websites; providing for future repeal; amending s. 627.411, F.S.; providing that grounds for disapproval of rates do not apply to nongrandfathered health plans; providing for future repeal of this provision; amending s. 627.6425, F.S.; allowing an insurer to nonrenew coverage only for all nongrandfathered health plans under certain conditions; amending s. 627.6484, F.S.; providing that coverage for policyholders of the Florida Comprehensive Health Association terminates on a specified date; requiring the association to provide specified assistance to policyholders in obtaining other health insurance coverage; requiring the association to notify policyholders of termination of coverage and information on how to obtain other coverage; requiring the association to determine the amount of a final assessment or to refund any surplus funds to member insurers, and to otherwise complete program responsibilities; repealing s. 627.64872, related to the Florida Health Insurance Plan; providing for the future repeal of ss. 627.648, 627.6482, 627.6484, 627.6486, 627.6488, 627.6489, 627.649, 627.6492, 627.6494, 627.6496, 627.6498, and 627.6499, F.S., relating to the Florida Comprehensive Health Association; amending s. 627.6571, F.S.; allowing an insurer to nonrenew coverage only for all



nongrandfathered health plans under certain conditions; amending s. 627.6699, F.S.; adding and revising definitions used in the Employee Health Care Access Act; providing that a small employer carrier is not required to use gender as a rating factor for a nongrandfathered health plan; requiring carriers to separate the experience of grandfathered health plans and nongrandfathered health plans for determining rates; amending s. 641.31, F.S.; providing that nongrandfathered health plans are not subject to rate review or approval by the office; providing for future repeal of this provision; providing effective dates.

—was referred to the Committee on Appropriations.

By the Committee on Health Policy—

**SB 1844**—A bill to be entitled An act relating to the Health Choice Plus Program; amending s. 408.910, F.S.; conforming provisions to changes made by the act; creating s. 408.9105, F.S.; creating the Health Choice Plus Program; providing legislative intent; providing definitions; providing eligibility requirements; providing exceptions in specific situations; providing for enrollment in the program; providing for disenrollment in specific situations; providing for reenrollment in specific situations; providing requirements and procedures for use of funds in a health benefits account; authorizing the Florida Health Choices, Inc., to accept funds from various sources to deposit into health benefits accounts, subsidize the costs of coverage, and administer and support the program; requiring the corporation to manage the health benefits accounts and provide the marketplace of options that an enrollee in the program may use; providing for payment for achieving health living performance goals; providing that the Florida Insurance Code is not applicable to the program; providing that coverage under the program is not an entitlement; prohibiting a cause of action against certain entities under certain circumstances; requiring the corporation to submit to the Governor and the Legislature information about the program in its annual report and an evaluation of the effectiveness of the program; providing for a program review and repeal date; providing an effective date.

—was referred to the Committees on Appropriations Subcommittee on Health and Human Services; and Appropriations.

**SR 1846**—Not referenced.

By the Committee on Banking and Insurance—

**SB 1848**—A bill to be entitled An act relating to public records; providing a public records exemption for the identity of individuals who make certain allegations or provide certain information to the inspector general of Citizens Property Insurance Corporation and for information relating to a resulting investigation; providing for future review and repeal; providing a statement of public necessity; providing a contingent effective date.

—was referred to the Committees on Governmental Oversight and Accountability; and Rules.

By the Committee on Banking and Insurance—

**SB 1850**—A bill to be entitled An act relating to public records; amending s. 627.3518, F.S.; providing an exemption from public records requirements for all underwriting guidelines, manuals, rating information, and other underwriting criteria or instructions submitted by an insurer to the corporation's policyholder eligibility clearinghouse program which are used to identify and select risks from the program; providing for future review and repeal; providing a statement of public necessity; providing a contingent effective date.

—was referred to the Committees on Governmental Oversight and Accountability; and Rules.

## COMMITTEE SUBSTITUTES

### FIRST READING

By the Committee on Children, Families, and Elder Affairs; and Senators Sobel, Abruzzo, Clemens, Soto, and Bullard—

**CS for SB 196**—A bill to be entitled An act relating to domestic partners; amending s. 28.24, F.S.; authorizing the clerk of the circuit court to collect a filing fee for domestic partner registrations; amending s. 382.009, F.S.; requiring notification of a patient's domestic partner in the event of the brain death of the patient; amending s. 394.459, F.S.; providing access to a mental health patient by his or her domestic partner; amending s. 400.022, F.S.; requiring that nursing homes allow a domestic partner access to his or her partner who is a resident and requiring that the domestic partner be allowed to meet with the families of other residents; amending s. 406.50, F.S.; requiring notification of a decedent's domestic partner before the decedent's body can be used for medical education or research; amending s. 408.051, F.S.; adding "domestic partner" to the definition of the term "patient representative"; amending s. 429.28, F.S.; requiring that assisted living facilities allow domestic partners to share a room; amending s. 429.85, F.S.; requiring that adult family-care homes allow domestic partners to share a room; amending s. 446.50, F.S.; providing a cross-reference; amending s. 497.005, F.S.; adding domestic partner to the individuals regarded as legally authorized persons for purposes of making funeral arrangements of a deceased; amending s. 497.152, F.S.; prohibiting the disposition or disinterment of a decedent's body without written authorization from his or her surviving domestic partner; amending s. 741.01, F.S.; directing the Executive Office of the Governor to establish a Domestic Violence Trust Fund for the purpose of collecting and disbursing funds generated from the Declaration of Domestic Partnership fee; creating s. 741.501, F.S.; providing legislative findings; creating s. 741.502, F.S.; providing definitions; creating s. 741.503, F.S.; requiring the Department of Health to adopt forms; creating s. 741.504, F.S.; establishing requirements for domestic partnership; providing criminal penalties for providing false information; creating s. 741.505, F.S.; specifying prohibitions to forming domestic partnerships under certain circumstances; creating s. 741.506, F.S.; identifying rights afforded to domestic partners; providing for enforcement of such rights; creating s. 741.507, F.S.; providing fees for establishing and terminating a domestic partnership; creating s. 741.508, F.S.; providing methods to prove the existence of a domestic partnership under certain circumstances; creating s. 741.509, F.S.; providing for termination of a domestic partnership; creating s. 741.510, F.S.; providing that the act does not preempt the authority of a county or municipality to enact a domestic partnership ordinance unless in conflict with the act; amending s. 765.105, F.S.; including a patient's domestic partner as one of several specified persons who may seek judicial intervention to question the patient's health care decision; amending s. 765.401, F.S.; adding a domestic partner to the list of individuals who may serve as a health care proxy; amending s. 765.512, F.S.; providing that a domestic partner may make an anatomical gift on behalf of the decedent; amending s. 765.517; adding a domestic partner to the list of people who may receive remainder of body parts after an anatomical gift; amending s. 872.04, F.S.; requiring written authorization of a domestic partner to perform an autopsy on his or her deceased partner if no health care surrogate has been designated; providing an effective date.

By the Committee on Banking and Insurance; and Senator Hukill—

**CS for SB 242**—A bill to be entitled An act relating to the Interstate Insurance Product Regulation Compact; providing legislative findings and intent; providing purposes; providing definitions; providing for the establishment of an Interstate Insurance Product Regulation Commission; providing responsibilities of the commission; specifying the commission as an instrumentality of the compacting states; providing for venue; specifying the commission as a separate, not-for-profit entity; providing powers of the commission; providing for organization of the commission; providing for membership, voting, and bylaws; designating the Commissioner of Insurance Regulation as the representative of the state on the commission; allowing the Commissioner of Insurance to designate a person to represent the state on the commission, as is necessary, to fulfill the duties of being a member of the commission; providing for a management committee, officers, and personnel of the commission; providing authority of the management committee; providing for legislative and advisory committees; providing for qualified

immunity, defense, and indemnification of members, officers, employees, and representatives of the commission; providing for meetings and acts of the commission; providing rules and operating procedures; providing rulemaking functions of the commission; providing for opting out of uniform standards; providing procedures and requirements; providing for commission records and enforcement; authorizing the commission to adopt rules; providing for disclosure of certain information; specifying that certain records, data, or information of the commission, wherever received, by and in possession of the Office of Insurance Regulation is subject to ch. 119, F.S.; requiring the commission to monitor for compliance; providing for dispute resolution; providing for product filing and approval; requiring the commission to establish filing and review processes and procedures; providing for review of commission decisions regarding filings; providing for finance of commission activities; providing for payment of expenses; authorizing the commission to collect filing fees for certain purposes; providing for approval of a commission budget; exempting the commission from all taxation, except as otherwise provided; prohibiting the commission from pledging the credit of any compacting states without authority; requiring the commission to keep complete accurate accounts, provide for audits, and make annual reports to the Governors and Legislatures of compacting states; providing for amendment of the compact; providing for withdrawal from the compact, default by compacting states, and dissolution of the compact; providing severability and construction; providing for binding effect of this compact and other laws; prospectively opting out of all uniform standards adopted by the commission involving long-term care insurance products; adopting all other existing uniform standards that have been adopted by the commission; providing a procedure for adoption of any new uniform standards or amendments to existing uniform standards of the commission; requiring the office to notify the Legislature of any new uniform standards or amendments to existing uniform standards of the commission; providing that any new uniform standards or amendments to existing uniform standards of the commission may only be adopted via legislation; authorizing the Financial Services Commission to adopt rules to implement this act and opt out of certain uniform standards; providing an effective date.

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By the Committee on Banking and Insurance; and Senator Smith—

**CS for SB 262**—A bill to be entitled An act relating to the delivery of insurance policies; amending s. 627.421, F.S.; providing that an insurance policy may be delivered by electronic means; specifying the types of policies that can be delivered electronically; requiring that a paper copy of the policy be provided upon request; providing an effective date.

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By the Committees on Rules; and Appropriations; and Senators Braynon and Abruzzo—

**CS for CS for SB 306**—A bill to be entitled An act relating to economic development; amending s. 125.0104, F.S.; providing that tourist development tax revenues may also be used to pay the debt service on bonds that finance the renovation of a professional sports facility that is publicly owned, or that is on publicly owned land, and that is publicly operated or operated by the owner of a professional sports franchise or other lessee; requiring that the renovation costs exceed a specified amount; allowing certain fees and costs to be included in the cost for renovation; requiring private contributions to the professional sports facility as a condition for the use of tourist development taxes; authorizing the use of certain tax revenues to pay for operation and maintenance costs of the renovated facility; requiring a majority-plus-one vote of the membership of the board of county commissioners to levy a tax for renovation of a sports franchise facility after approval by a majority of the electors voting in a referendum to approve the proposal; authorizing the referendum to be held before or after the effective date of this act; providing requirements for the referendum ballot; providing for non-application of the prohibition against levying such tax in certain cities and towns under certain conditions; restricting certain counties from levying the tax; providing for controlling application notwithstanding conflicting provisions; authorizing the use of tourist development tax revenues for financing the renovation of a professional sports franchise facility; amending s. 212.20, F.S.; authorizing a distribution for an applicant that has been approved by the Legislature and certified by the Department of Economic Opportunity under s. 288.11625, F.S.; providing a limitation; amending s. 220.153, F.S.; conforming a cross-reference;

repealing s. 220.62(3) and (5), F.S., relating to the definition of the terms “international banking facility” and “foreign person” in the income tax code; repealing s. 220.63(5), F.S., relating to an income tax deduction for international banking facilities; providing retroactive applicability and effect of certain provisions of the act; creating s. 288.11625, F.S.; providing that the Department of Economic Opportunity shall screen applicants for state funding for sports development; defining the terms “applicant,” “agreement,” “beneficiary,” “facility,” “major professional sports franchise,” “sports franchise or association,” “off-season sports training franchise,” “project,” and “signature event”; providing a purpose to provide funding for applicants for constructing, reconstructing, renovating, or improving a facility; providing an application and approval process; providing for an annual application period from June 1 to November 1; providing for the Department of Economic Opportunity to submit recommendations to the Legislature by February 1; requiring legislative approval for state funding; providing for a contract between the department and the applicant; providing evaluation criteria for an applicant to receive state funding; providing for reimbursement of the state funding under certain circumstances; providing for evaluation and ranking of applicants under certain criteria; allowing the department to determine the type of beneficiary; providing levels of state funding up to a certain amount of new incremental state sales tax revenue; providing for a distribution and calculation; providing for adjustment of the distribution; requiring the Department of Revenue to distribute funds within 45 days of notification by the department; limiting annual distributions to \$15 million; limiting use of funds; requiring an applicant to submit information to the department annually; requiring a 5-year review; authorizing the Auditor General to conduct audits; providing for an application related to a signature event; authorizing the Legislative Budget Commission to approve an application; providing for discontinuation of distributions under certain circumstances; permitting the Department of Economic Opportunity and the Department of Revenue to adopt rules; contingently creating s. 288.116255, F.S.; providing for an evaluation; authorizing the Department of Revenue and the Department of Economic Opportunity to adopt emergency rules; providing effective dates.

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By the Committee on Banking and Insurance; and Senator Brandes—

**CS for SB 324**—A bill to be entitled An act relating to the Florida Insurance Guaranty Association; reordering and amending s. 631.57, F.S.; revising the duties of the association; authorizing the association to collect regular assessments directly from policyholders; authorizing the association to collect emergency assessments from insurers under certain circumstances; making technical and grammatical corrections; providing an effective date.

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By the Committee on Children, Families, and Elder Affairs; and Senator Abruzzo—

**CS for SB 384**—A bill to be entitled An act relating to grandparent visitation rights; creating s. 752.011, F.S.; authorizing the grandparent of a minor child to petition a court for visitation under certain circumstances; requiring a preliminary hearing; providing for the payment of attorney fees and costs by a petitioner who fails to make a prima facie showing of harm; authorizing grandparent visitation if the court makes specified findings; providing factors for court consideration; providing for application of the Uniform Child Custody Jurisdiction and Enforcement Act; encouraging the consolidation of certain concurrent actions; providing for modification of an order awarding grandparent visitation; limiting the frequency of actions seeking visitation; limiting application to a minor child placed for adoption; providing for venue; amending s. 752.015, F.S.; conforming references; creating s. 752.071, F.S.; providing conditions under which a court may terminate a grandparent visitation order upon adoption of a minor child by a stepparent or close relative; amending s. 39.01, F.S.; revising the definition of “next of kin” to include great-grandparents for purposes of various proceedings relating to children; amending s. 39.509, F.S.; providing for visitation rights of great-grandparents; amending ss. 39.801 and 63.0425, F.S.; providing for a great-grandparent’s right to notice of adoption; amending s. 63.172, F.S.; conforming provisions; repealing s. 752.01, F.S., relating to actions by a grandparent for visitation rights; repealing s. 752.07, F.S., relating to the effect of adoption of a child by a stepparent on grandparent visitation rights; providing an effective date.

By the Committees on Judiciary; Criminal Justice; and Military and Veterans Affairs, Space, and Domestic Security; and Senator Dean—

**CS for CS for CS for SB 390**—A bill to be entitled An act relating to veterans' organizations; defining terms; prohibiting a business entity from advertising or holding itself out to the public as a veterans' organization or similar entity under certain circumstances; providing that an entity that violates the restrictions on advertizing violates the Florida Deceptive and Unfair Trade Practices Act; authorizing certain veterans' organizations to enforce the prohibition against false advertising; providing for criminal penalties; amending s. 817.312, F.S.; prohibiting misrepresentation as a service member or veteran and wearing military or veterans' uniform, medal, or insignia; providing an effective date.

By the Committee on Children, Families, and Elder Affairs; and Senator Bean—

**CS for SB 472**—A bill to be entitled An act relating to developmental disabilities; providing a short title; establishing the Developmental Disabilities Savings Program to allow for advance saving for services for children who have developmental disabilities and who will be ineligible for certain services due to age; providing legislative intent; defining terms; requiring the program to provide certain information; providing that the program may not be implemented until certain legal opinions are obtained; establishing the Developmental Disabilities Savings Program Board to administer the savings program; providing for board membership; specifying the powers, duties, and goals of the board; providing a sunset clause; providing a contingent effective date.

By the Committee on Judiciary; and Senator Stargel—

**CS for SB 490**—A bill to be entitled An act relating to landlords and tenants; amending s. 83.42, F.S.; revising exclusions from applicability of the Florida Residential Landlord and Tenant Act; amending s. 83.48, F.S.; providing that the right to attorney fees may not be waived in a lease agreement; providing that attorney fees may not be awarded in a claim for personal injury damages based on a breach of duty of premises maintenance; amending s. 83.49, F.S.; revising and providing landlord disclosure requirements with respect to security deposits and advance rent; providing requirements for the disbursement of advance rents; providing a limited rebuttable presumption of receipt of security deposits; providing for applicability of changes made by the act to certain disclosure requirements; amending s. 83.50, F.S.; removing certain landlord disclosure requirements relating to fire protection; amending s. 83.51, F.S.; revising a landlord's obligation to maintain a premises with respect to screens; amending s. 83.54, F.S.; providing that enforcement of a right or duty under the Florida Residential Landlord and Tenant Act by civil action does not preclude prosecution of a criminal offense; amending s. 83.56, F.S.; revising procedures for the termination of a rental agreement by a landlord; revising notice procedures; providing that a landlord does not waive the right to terminate the rental agreement or to bring a civil action for noncompliance by accepting partial rent, subject to certain notice; providing that the period to institute an action before an exemption involving rent subsidies is waived begins upon actual knowledge; amending s. 83.575, F.S.; revising requirements for the termination of a tenancy having a specific duration to provide for reciprocal notice provisions in rental agreements; amending ss. 83.58 and 83.59, F.S.; conforming cross-references; amending s. 83.60, F.S.; providing that a court may allow the landlord the opportunity to correct a deficiency in any notice or pleadings before dismissal of an eviction action; making technical changes; amending s. 83.62, F.S.; revising procedures for the restoration of possession to a landlord to provide that weekends and holidays do not stay the applicable notice period; amending s. 83.63, F.S.; conforming a cross-reference; amending s. 83.64, F.S.; providing examples of conduct for which the landlord may not retaliate; providing an effective date.

By the Committees on Community Affairs; and Regulated Industries; and Senators Clemens and Sobel—

**CS for CS for SB 500**—A bill to be entitled An act relating to massage practice; amending s. 480.033, F.S.; revising the definition of the term "board-approved massage school"; amending s. 480.043, F.S.; requiring an application to be denied upon specified findings; amending s. 480.046, F.S., adding additional grounds for denial of a license;

amending s. 480.047, F.S.; revising penalties; creating s. 480.0475, F.S.; prohibiting the operation of a massage establishment during specified times; providing exceptions; prohibiting the use of a massage establishment as a principal domicile unless the establishment is zoned for residential use under a local ordinance; providing criminal penalties; amending s. 480.052, F.S., authorizing a county or municipality to waive the restriction on operating hours of a massage establishment in certain instances; amending s. 823.05, F.S.; declaring that a massage establishment operating in violation of specified statutes is a nuisance that may be abated or enjoined; providing an effective date.

By the Committee on Children, Families, and Elder Affairs; and Senators Detert and Ring—

**CS for SB 548**—A bill to be entitled An act relating to the Florida Kidcare program; amending s. 409.814, F.S.; requiring certain children applying for eligibility for a component of Kidcare to be offered the opportunity to be made presumptively eligible for the Kidcare program; providing an effective date.

By the Committee on Banking and Insurance; and Senator Simpson—

**CS for SB 550**—A bill to be entitled An act relating to the collection of worthless payment instruments; amending s. 68.065, F.S.; defining the term "payment instrument"; applying certain provisions relating to civil actions brought to collect dishonored checks, drafts, and orders of payment to specified types of payment instruments to permit the award of triple damages, court costs, and reasonable attorney fees, the imposition of service charges, and requirements for written demands for payment that must be delivered before commencement of collection actions; authorizing the payee of a dishonored payment instrument to recover bank fees and a service charge without filing a civil action; conforming provisions to changes made by the act; providing an effective date.

By the Committees on Community Affairs; and Environmental Preservation and Conservation; and Senator Altman—

**CS for CS for SB 554**—A bill to be entitled An act relating to brownfields; amending s. 376.78, F.S.; revising legislative intent with regard to community revitalization in certain areas; amending s. 376.80, F.S.; revising procedures for designation of brownfield areas by local governments; providing procedures for adoption of a resolution; providing requirements for notice and public hearings; authorizing local governments to use a term other than "brownfield area" when naming such areas; amending s. 376.82, F.S.; providing relief of liability for property damages for entities that execute and implement certain brownfield site rehabilitation agreements; providing for applicability; providing an effective date.

By the Committee on Commerce and Tourism; and Senator Galvano—

**CS for SB 582**—A bill to be entitled An act relating to manufacturing development; creating s. 163.325, F.S.; providing a short title; establishing the Manufacturing Competitiveness Act; creating s. 163.3251, F.S.; providing definitions; creating s. 163.3252, F.S.; authorizing local governments to establish a local manufacturing development program that provides for master development approval for certain sites; providing specific time periods for action by local governments; requiring the Department of Economic Opportunity to develop a model ordinance containing specified information and provisions; requiring a local manufacturing development program ordinance to include certain information; providing certain restrictions on the termination of a local manufacturing development program; creating s. 163.3253, F.S.; requiring participating agencies to establish a manufacturing development coordinated approval process for certain manufacturers; requiring participating agencies to coordinate and review applications for certain state development approvals; requiring participating agencies to convene and attend a meeting when requested by a certain manufacturer; providing for requests for additional information and specifying time periods; requiring participating agencies to take final action on applications within a certain time period; requiring participating agencies to facilitate the resolution of certain applications; providing for approval by default; providing for applicability with respect to permit applications governed by federally delegated or approved permitting programs; creating s.

288.111, F.S.; requiring the department to develop materials that identify local manufacturing development programs; requiring Enterprise Florida, Inc., and authorizing other state agencies, to distribute such material; providing an effective date.

By the Committees on Community Affairs; and Ethics and Elections; and Senator Latvala—

**CS for CS for SB 600**—A bill to be entitled An act relating to elections; amending s. 97.0555, F.S.; revising qualifications for late voter registration; creating s. 100.032, F.S.; requiring supervisors of elections to submit a report to the Secretary of State at least 3 months before a general election; specifying the content of the report; amending s. 100.061, F.S.; decreasing the time period between a primary election and a general election; amending s. 101.161, F.S.; providing a limitation on the number of words for certain ballot summaries in joint resolutions proposed by the Legislature; deleting a provision providing that a ballot statement consisting of the full text of a constitutional amendment or revision is presumed to be a clear and unambiguous statement; amending s. 101.5605, F.S.; requiring a person to provide the name, mailing address, and telephone number of a registered agent of a voting systems vendor to the Department of State under certain circumstances; providing that proof of delivery or attempt to deliver constitutes valid notice; creating s. 101.56065, F.S.; providing definitions; requiring a vendor to file a written disclosure with the department; providing requirements for the disclosure; providing what constitutes a cure of a defect; requiring a vendor to file a new disclosure with the department if a vendor becomes aware of a defect within a specified period; authorizing the department to suspend all sales or leases or use in an election of a defective voting system; authorizing the department to suspend all sales or leases or use in an election of a defective voting system; providing procedures for the suspension of voting systems; authorizing the department to withdraw approval of voting systems under certain circumstances; authorizing the department to initiate an investigation of a defective voting system; establishing procedures and requirements of investigations; providing a penalty; repealing s. 101.56075(4), F.S., relating to the requirement that all voting systems used by voters in a state election allow placement of the full text of a constitutional amendment or revision containing stricken or underlined text by a specified date; amending s. 101.591, F.S.; authorizing use of automated, independent audits of voting systems; providing audit requirements; requiring the Division of Elections to adopt rules; amending s. 101.62, F.S.; revising the requirements for a valid absentee ballot request; requiring the supervisor to record the absence of the voter's signature on the voter's certificate under specified circumstances; prohibiting the supervisor from providing an absentee ballot on the day of an election under certain circumstances; requiring a person who requests an absentee ballot to complete an affidavit under certain circumstances; amending s. 101.64, F.S.; revising the requirements for a voter's certificate; amending s. 101.65, F.S.; revising the instructions to absent electors; amending s. 101.657, F.S.; revising the list of permissible sites available for early voting; authorizing the supervisor to designate one additional early voting site per election; providing requirements; requiring each county to operate at least the same number of early voting sites as used for the 2012 general election; revising the number of days and hours for early voting; amending s. 101.67, F.S.; conforming a provision to changes made by the act; amending s. 101.68, F.S., and reenacting subsection (2), relating to the canvassing of absentee ballots; authorizing the supervisor to use the elector's signature in a precinct register to compare with the elector's signature on the voter's certificate; providing that an absentee ballot must clearly identify the name of the witness in order to be considered legal; requiring the supervisor to provide the elector with the specific reason his or her ballot was rejected; requiring the supervisor to allow electors to complete an affidavit to cure an unsigned absentee ballot prior to canvassing; providing the form and contents of the affidavit; providing instructions to accompany each absentee ballot affidavit; requiring the affidavit, instructions, and the supervisor's office mailing address to be posted on certain websites; requiring the supervisor to attach a received affidavit to the appropriate absentee ballot mailing envelope; amending s. 101.6921, F.S.; revising the voter's certificate accompanying a special absentee ballot; amending s. 101.6923, F.S.; revising special absentee ballot instructions; amending s. 101.6952, F.S.; providing that absentee ballots received from overseas voters in certain elections may be received up to 10 days after the date of the election; amending s. 102.031, F.S.; revising restrictions relating to the solicitation of voters; amending s. 102.141, F.S.; revising methods of

selecting canvassing board members; requiring a supervisor to upload certain canvassed election results into a county's election management system prior to the election; prohibiting public disclosure of uploaded results before the close of the polls on election day; amending s. 104.0616, F.S.; providing a definition for the term "immediate family"; prohibiting possession of more than two absentee ballots under certain circumstances; providing an effective date.

By the Committee on Regulated Industries; and Senator Hays—

**CS for SB 642**—A bill to be entitled An act relating to distilled spirits; amending s. 565.03, F.S.; providing definitions; revising provisions regarding a state license tax involved with the operation of distilleries; providing requirements for craft distilleries under certain conditions; prohibiting the shipment of certain distilled spirits; restricting license transferability and ownership affiliation; providing reporting requirements; providing requirements relating to the payment of taxes; providing for the adoption of rules; amending s. 561.14, F.S.; conforming a cross-reference; declaring that the provisions of this act are not severable; providing an effective date.

By the Committees on Community Affairs; and Environmental Preservation and Conservation; and Senator Simpson—

**CS for CS for SB 682**—A bill to be entitled An act relating to fossil fuel combustion products; creating s. 403.7047, F.S.; providing definitions; providing standards for storage of certain fossil fuel combustion products; providing an exemption for beneficial use of fossil fuel combustion products from certain rules; providing that the act does not prohibit the Department of Environmental Protection from taking appropriate action to regulate a beneficial use in certain circumstances; providing that the act does not limit other requirements applicable to the beneficial use of fossil fuel combustion products; providing that the act does not limit the recovery of beneficial use products or the authority of the department to approve the beneficial use of materials other than fossil fuel combustion products; clarifying that the act does not limit or modify any fossil fuel combustion product beneficial use previously approved by the department; amending s. 403.7222, F.S.; excluding certain types of facilities from provisions on hazardous waste landfills; providing an effective date.

By the Committee on Children, Families, and Elder Affairs; and Senator Clemens—

**CS for SB 738**—A bill to be entitled An act relating to substance abuse services; amending s. 397.311, F.S.; defining the term "sober house transitional living home" as it relates to the Hal S. Marchman Alcohol and Other Drug Services Act; amending s. 397.403, F.S.; requiring that an applicant seeking licensure for a proposed facility that would provide specified substance abuse services adhere to local, municipal, or county standards for zoning and occupancy; requiring such applicant to provide written notice to the chief executive officer of the appropriate local government before receiving licensure to operate a sober house transitional living home; requiring the applicant to stipulate certain criteria within the notice; exempting certain sober house transitional living homes from additional licensing as a service provider under ch. 397, F.S., under certain circumstances; requiring the local government to review the notification and to determine if the proposed home and its site comply with certain requirements; requiring the local government to notify the applicant and the Department of Children and Families of its determination; requiring each sober house transitional living home in existence on a certain date to apply for licensure with the department and give notice to the local government by a specified date; requiring the local government to notify the existing sober house transitional living home and the department of its determination; exempting existing sober house transitional living homes from complying with the distance requirement under certain circumstances; providing conflict resolution by informal mediation under certain circumstances; requiring the local government to arrange for services of an independent mediator or initiate dispute resolution proceedings; providing procedures for the mediation; providing construction; providing that a local government is not required to adopt a local ordinance under certain circumstances; providing that state law prevails over a local ordinance; providing that a local government is not precluded from adopting ordinances that govern facilities that offer certain substance abuse services; providing that the

department may adopt rules to establish penalties or fines for failure to obtain a license to operate a sober house transitional living home; providing an effective date.

By the Committee on Banking and Insurance; and Senator Simmons—

**CS for SB 834**—A bill to be entitled An act relating to public records; creating s. 624.4212, F.S.; creating an exemption from public records requirements for proprietary business information submitted to the Office of Insurance Regulation; defining the term “proprietary business information”; providing exceptions; providing for future legislative review and repeal; providing a statement of public necessity; providing a contingent effective date.

By the Committee on Banking and Insurance; and Senator Simmons—

**CS for SB 836**—A bill to be entitled An act relating to insurer solvency; creating s. 624.085, F.S.; providing definitions applicable to the Florida Insurance Code; amending s. 624.4085, F.S.; revising a definition; providing additional calculations for determining whether an insurer has a company action level event; revising provisions relating to mandatory control level events; amending s. 624.424, F.S.; requiring an insurer's annual statement to include an actuarial opinion summary; providing criteria for such summary; providing an exception for life and health insurers; updating provisions; amending s. 625.121, F.S.; protecting material supporting an insurer's annual actuarial opinion from subpoena, discovery, or admissibility in a civil action; amending s. 628.461, F.S.; revising the amount of outstanding voting securities of a domestic stock insurer or a controlling company that a person is prohibited from acquiring unless certain requirements have been met; deleting a provision authorizing an insurer to file a disclaimer of affiliation and control in lieu of a letter notifying the Office of Insurance Regulation of the Financial Services Commission of the acquisition of the voting securities of a domestic stock company under certain circumstances; requiring the statement notifying the office to include additional information; conforming a provision to changes made by the act; providing that control is presumed to exist under certain conditions; specifying how control may be rebutted and how a controlling interest may be divested; deleting definitions; amending s. 628.801, F.S.; requiring an insurer to file annually by a specified date a registration statement; revising the requirements and standards for the rules establishing the information and statement form for the registration; requiring an insurer to file an annual enterprise risk report; authorizing the office to conduct examinations to determine the financial condition of registrants; providing that failure to file a registration or report is a violation of the section; providing additional grounds, requirements, and conditions with respect to a waiver from the registration requirements; amending s. 628.803, F.S.; providing for sanctions for persons who violate s. 628.461, F.S., relating to the acquisition of controlling stock; creating s. 628.805, F.S.; authorizing the office to participate in supervisory colleges; authorizing the office to assess fees on insurers for participation; amending ss. 636.045 and 641.225, F.S.; applying certain statutes related to solvency to prepaid limited health service organizations and health maintenance organizations; amending s. 641.255, F.S.; providing for applicability of specified provisions to a health maintenance organization that is a member of a holding company; providing a contingent effective date.

By the Committees on Transportation; and Community Affairs; and Senator Hukill—

**CS for CS for SB 972**—A bill to be entitled An act relating to transportation development; amending s. 163.3180, F.S.; providing that local governments that implement transportation concurrency must allow an applicant for a development agreement to satisfy transportation concurrency requirements if certain criteria are met, and must provide the basis upon which landowners will be assessed a proportionate share of the cost of addressing certain transportation impacts; encouraging a local government that repeals transportation concurrency to adopt an alternative mobility funding system that is subject to certain requirements; amending s. 163.3182, F.S.; expanding the types of transportation projects that a transportation development authority may undertake or carry out; amending s. 190.006, F.S.; modifying the

method for filling positions within the board of supervisors; providing an effective date.

By the Committee on Governmental Oversight and Accountability; and Senator Brandes—

**CS for SB 1004**—A bill to be entitled An act relating to public data; providing definitions; requiring each agency to submit an inventory in its custody to specified persons; specifying the information that must be included in each inventory; authorizing the Department of State to use fees collected and deposited in the Records Management Trust Fund for certain purposes; granting rulemaking authority to the department; providing an effective date.

By the Committee on Banking and Insurance; and Senator Brandes—

**CS for SB 1046**—A bill to be entitled An act relating to insurance; amending s. 316.646, F.S.; authorizing a uniform motor vehicle proof-of-insurance card to be in an electronic format; providing construction with respect to the parameters of a person's consent to access information on an electronic device presented to provide proof of insurance; providing immunity from liability to a law enforcement officer for damage to an electronic device presented to provide proof of insurance; authorizing the Department of Highway Safety and Motor Vehicles to adopt rules; amending s. 320.02, F.S.; authorizing insurers to furnish uniform proof-of-purchase cards in an electronic format for use by insureds to prove the purchase of required insurance coverage when registering a motor vehicle; amending s. 554.1021, F.S.; defining the term “authorized inspection agency”; amending s. 554.107, F.S.; requiring the chief inspector of the state boiler inspection program to issue a certificate of competency as a special inspector to certain individuals; specifying how long such certificate remains in effect; amending s. 554.109, F.S.; authorizing specified insurers to contract with an authorized inspection agency for boiler inspections; requiring such insurers to annually report the identity of contracted authorized inspection agencies to the Department of Financial Services; amending s. 624.413, F.S.; revising a specified time period applicable to a certified examination that must be filed by a foreign or alien insurer applying for a certificate of authority; amending s. 626.0428, F.S.; requiring each insurance agency to be under the control of an agent licensed to transact certain lines of insurance; authorizing an agent to be in charge of more than one branch office under certain circumstances; providing requirements relating to the designation of an agent in charge; prohibiting an insurance agency from conducting insurance business at a location without a designated agent in charge; providing a definition for the term “agent in charge”; providing that the designated agent in charge is liable for certain acts of misconduct; providing grounds for the Department of Financial Services to order operations to cease at certain insurance agency locations until an agent in charge is properly designated; amending s. 626.112, F.S.; providing licensure exemptions that allow specified individuals or entities to conduct insurance business at specified locations under certain circumstances; revising licensure requirements and penalties with respect to registered insurance agencies; providing that the registration of an approved registered insurance agency automatically converts to an insurance agency license on a specified date; amending s. 626.172, F.S.; revising requirements relating to applications for insurance agency licenses; conforming provisions to changes made by the act; amending s. 626.321, F.S.; providing that a limited license to offer motor vehicle rental insurance issued to a business that rents or leases motor vehicles encompasses the employees of such business; amending s. 626.382, F.S.; providing that an insurance agency license continues in force until canceled, suspended, revoked, or terminated; amending s. 626.601, F.S.; revising terminology relating to investigations conducted by the Department of Financial Services and the Office of Insurance Regulation with respect to individuals and entities involved in the insurance industry; repealing s. 626.747, F.S., relating to branch agencies, agents in charge, and the payment of additional county tax under certain circumstances; amending s. 626.8411, F.S.; conforming a cross-reference; amending s. 626.8805, F.S.; revising insurance administrator application requirements; amending s. 626.8817, F.S.; authorizing an insurer's designee to provide certain coverage information to an insurance administrator; authorizing an insurer to subcontract the audit of an insurance administrator; amending s. 626.882, F.S.; prohibiting a person from acting as an insurance administrator without a specific written agreement; amending s. 626.883, F.S.; requiring insurance adminis-

trators to furnish fiduciary account records to an insurer's designee; providing that administrator withdrawals from a fiduciary account be made according to specific written agreements; providing that an insurer's designee may authorize payment of claims; amending s. 626.884, F.S.; revising an insurer's right of access to certain administrator records; amending s. 626.89, F.S.; revising the deadline for filing certain financial statements; amending s. 626.931, F.S.; deleting provisions requiring a surplus lines agent to file a quarterly affidavit with the Florida Surplus Lines Service Office; amending s. 626.932, F.S.; revising the due date of surplus lines tax; amending s. 626.935, F.S.; conforming provisions to changes made by the act; amending s. 626.936, F.S.; conforming provisions to changes made by the act; amending s. 627.062, F.S.; requiring the Office of Insurance Regulation to use certain models or straight averages of certain models to estimate hurricane losses when determining whether the rates in a rate filing are excessive, inadequate, or unfairly discriminatory; amending s. 627.0628, F.S.; increasing the length of time during which an insurer must adhere to certain findings made by the Commission on Hurricane Loss Projection Methodology with respect to certain methods, principles, standards, models, or output ranges used in a rate finding; providing that the requirement to adhere to such findings does not limit an insurer from using a straight average of results of certain models or output ranges under specified circumstances; amending s. 627.072, F.S.; authorizing retrospective rating plans relating to workers' compensation and employer's liability insurance to allow negotiations between certain employers and insurers with respect to rating factors used to calculate premiums; amending s. 627.281, F.S.; conforming a cross-reference; repealing s. 627.3519, F.S., relating to an annual report from the Financial Services Commission to the Legislature of aggregate net probable maximum losses, financing options, and potential assessments of the Florida Hurricane Catastrophe Fund and Citizens Property Insurance Corporation; amending s. 627.4133, F.S.; increasing the amount of prior notice required with respect to the nonrenewal, cancellation, or termination of certain insurance policies; deleting certain provisions that require extended periods of prior notice with respect to the nonrenewal, cancellation, or termination of certain insurance policies; prohibiting the cancellation of certain policies that have been in effect for a specified amount of time except under certain circumstances; amending s. 627.4137, F.S.; adding licensed company adjusters to the list of persons who may respond to a claimant's written request for information relating to liability insurance coverage; amending s. 627.421, F.S.; authorizing the electronic delivery of certain insurance documents; amending s. 627.43141, F.S.; authorizing a notice of change in policy terms to be sent in a separate mailing to an insured under certain circumstances; requiring an insurer to provide such notice to the insured's insurance agent; amending s. 627.6484, F.S.; providing that coverage for each policyholder of the Florida Comprehensive Health Association terminates on a specified date; requiring the association to provide assistance to policyholders; requiring the association to notify policyholders of termination of coverage and provide information concerning how to obtain other coverage; requiring the association to impose a final assessment or provide a refund to member insurers, sell or dispose of physical assets, perform a final accounting, legally dissolve the association, submit a required report, and transfer all records to the Office of Insurance Regulation; repealing s. 627.64872, F.S., relating to the Florida Health Insurance Plan; providing for the future repeal of ss. 627.648, 627.6482, 627.6484, 627.6486, 627.6488, 627.6489, 627.649, 627.6492, 627.6494, 627.6496, 627.6498, and 627.6499, F.S., relating to the Florida Comprehensive Health Association Act, definitions, termination of enrollment and availability of other coverage, eligibility, the Florida Comprehensive Health Association, the Disease Management Program, the administrator of the health insurance plan, participation of insurers, insurer assessments, deferment, and assessment limitations, issuing of policies, minimum benefits coverage and exclusions, premiums, and deductibles, and reporting by insurers and third-party administrators, respectively; amending s. 627.701, F.S.; revising requirements to issue or renew personal lines residential property insurance after a certain date; increasing the deductible amount for losses from perils other than hurricane; amending s. 627.7015, F.S.; revising the rulemaking authority of the department with respect to qualifications and specified types of penalties covered under the property insurance mediation program; creating s. 627.70151, F.S.; providing criteria for an insurer or policyholder to challenge the impartiality of a loss appraisal umpire for purposes of disqualifying such umpire; amending s. 627.706, F.S.; revising the definition of the term "neutral evaluator"; amending s. 627.7074, F.S.; requiring the department to adopt rules relating to the certification of neutral evaluators; amending s. 627.736, F.S.; revising the time period for applicability of

certain Medicare fee schedules or payment limitations; amending s. 627.745, F.S.; revising qualifications for approval as a mediator by the department; providing grounds for the department to deny an application, or suspend or revoke approval of a mediator or certification of a neutral evaluator; authorizing the department to adopt rules; amending s. 627.841, F.S.; providing that an insurance premium finance company may impose a fee for payments returned due to insufficient funds; amending s. 627.952, F.S.; providing that certain persons who are not residents of this state must be licensed and appointed as nonresident surplus lines agents in this state in order to engage in specified activities with respect to servicing insurance contracts, certificates, or agreements for purchasing or risk retention groups; deleting a fidelity bond requirement applicable to certain nonresident agents who are licensed as surplus lines agents in another state; amending ss. 627.971 and 627.972, F.S.; including licensed mutual insurers in financial guaranty insurance corporations; amending s. 628.901, F.S.; revising the definition of terms applicable to captive insurers; amending s. 628.905, F.S.; authorizing an industrial insured captive insurance company to write workers compensation and employer liability insurance in excess of a certain amount under certain conditions; conforming provisions to changes made by the act; redesignating the Office of Insurance Regulation instead of the Insurance Commissioner as the collector of certain fees and issuer of licenses; amending s. 628.907, F.S.; conforming provisions to changes made by the act; amending s. 628.909, F.S.; providing for applicability of certain provisions of the Insurance Code to specified captive insurers; conforming provisions to changes made by the act; amending s. 628.9142, F.S.; conforming provisions to changes made by the act; amending s. 628.915, F.S.; conforming provisions to changes made by the act; amending s. 628.917, F.S.; conforming provisions to changes made by the act; amending s. 628.919, F.S.; requiring a pure captive insurance company to submit certain risk management standards to the Office of Insurance Regulation; amending s. 634.406, F.S.; revising criteria authorizing premiums of certain service warranty associations to exceed their specified net assets limitations; revising requirements relating to contractual liability policies that insure warranty associations; providing an effective date.

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By the Committee on Regulated Industries; and Senator Gardiner—

**CS for SB 1048**—A bill to be entitled An act relating to electronic benefits transfer cards; amending s. 402.82, F.S.; conforming terminology; restricting the use of electronic benefits transfer cards; providing that an electronic benefits transfer card may not be used or accepted at certain establishments licensed under the Beverage Law, an adult entertainment establishment, a pari-mutuel facility, a slot machine facility, an unauthorized commercial bingo facility, a casino, a gaming facility or gambling facility, or any gaming activities authorized under part II of ch. 285, F.S.; providing an effective date.

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By the Committee on Environmental Preservation and Conservation; and Senator Hays—

**CS for SB 1074**—A bill to be entitled An act relating to state-owned or state-leased space; amending s. 216.0152, F.S.; revising provisions relating to the update of an inventory of certain facilities needing repairs or innovation maintained by the Department of Management Services; revising provisions relating to a report detailing an inventory of state-owned facilities; requiring specified entities to submit an inventory of underused property; requiring the department to adopt rules; amending s. 216.043, F.S.; requiring state agencies to explain why available underused property is not sufficient to meet their needs when requesting fixed capital outlay projects; amending s. 253.031, F.S.; clarifying that deeds may be signed by agents of the Board of Trustees of the Internal Improvement Trust Fund; amending s. 253.034, F.S.; revising provisions relating to decisions by the board to surplus lands; revising the valuation of lands that are subject to certain requirements; requiring state entities to submit a business plan if a building or parcel is offered for use to the entity; amending s. 255.248, F.S.; defining the terms "managing agency" and "tenant broker"; amending s. 255.249, F.S.; revising the responsibilities of the Department of Management Services with respect to state-owned buildings; prohibiting a state agency from leasing space in a private building under certain circumstances; requiring an agency to notify the department of an early termination of a lease within a certain timeframe; authorizing the department to direct state agencies to occupy space in a state-owned building; authorizing the department to imple-

ment renovations in order to more efficiently use state-owned buildings; revising the contents of the master leasing report; authorizing state agencies to use the services of a tenant broker to provide certain information to the department; requiring the title entity or managing agency to report any vacant or underutilized space to the department; authorizing the department to adopt additional rules; amending s. 255.25, F.S.; reducing the amount of square feet which an agency may lease without department approval; deleting an exemption that allows an agency to negotiate a replacement lease under certain circumstances; requiring a state agency to use a tenant broker to assist with lease actions; amending s. 255.252, F.S.; specifying that a vendor for certain energy efficiency contracts must be selected in accordance with state procurement requirements; amending s. 255.254, F.S.; revising provisions relating to requirements for energy performance analysis for certain buildings; amending s. 255.257, F.S.; requiring all state-owned facilities to report energy consumption and cost data; creating s. 255.46, F.S.; creating the Underused Property Maximization Program in the Department of Management Services; providing legislative intent and definitions; requiring governmental entities to submit data and the department to establish an inventory of underused property; requiring governmental entities to consult such inventory and, if suitable, submit a business case to the entity that owns or occupies the property; providing for the disposition of underused property; requiring the Auditor General to include findings relating to compliance with this section in any audits; authorizing the department to adopt rules; report energy consumption and cost data; amending s. 255.503, F.S.; authorizing the department to charge state employees fees for the use of parking facilities; amending ss. 110.171 and 985.682, F.S.; conforming cross-references; providing an appropriation; providing effective dates.

By the Committee on Judiciary; and Senator Soto—

**CS for SB 1210**—A bill to be entitled An act relating to family law; amending s. 61.30, F.S.; providing for consideration of time-sharing schedules as a factor in the adjustment of awards of child support; amending s. 90.204, F.S.; authorizing judges in family cases to take judicial notice of certain court records without prior notice to the parties when imminent danger to persons or property has been alleged and it is impractical to give prior notice; providing for a deferred opportunity to present evidence; requiring a notice of such judicial notice having been taken to be filed within a specified period; providing that the term “family cases” has the same meaning as provided in the Rules of Judicial Administration; amending s. 409.2564, F.S.; providing that the Department of Revenue may not undertake certain actions regarding paternity or support except in certain circumstances; providing that a parent is not eligible to receive assistance from the department for certain actions if the parent is being represented by a private attorney unless public assistance is being received; amending ss. 741.30, 784.046, and 784.0485, F.S.; creating an exception to a prohibition against using evidence other than the verified pleading or affidavit in an ex parte hearing for a temporary injunction for protection against domestic violence, repeat violence, sexual violence, dating violence, or stalking; amending ss. 61.14, 61.1814, and 61.30, F.S.; conforming cross-references; providing an effective date.

By the Committee on Appropriations; and Senator Grimsley—

**CS for SB 1258**—A bill to be entitled An act relating to a comprehensive health information system; amending s. 408.05, F.S.; renaming the Florida Center for Health Information and Policy Analysis as the Florida Health Information Transparency Initiative; providing a statement of purpose for the initiative; providing the duties of the Agency for Health Care Administration; revising the data and information required to be included in the health information system; revising the functions that the agency must perform in order to collect and disseminate health information and statistics; deleting provisions that require the center to provide technical assistance to persons and organizations engaged in health planning activities; deleting provisions that require the center to provide widespread dissemination of data; requiring the agency to implement the transparency initiative in a manner that recognizes state-collected data as an asset and rewards taxpayer investment in information collection and management; authorizing the agency to apply for, receive, and accept grants, gifts, and other payments, including property and services, from a governmental or other public or private entity or person; requiring the agency to ensure that certain vendors do

not inhibit or impede consumer access to state-collected health data and information; abolishing the State Consumer Health Information and Policy Advisory Council; amending ss. 381.026, 395.301, 465.0244, 627.6499, and 641.54, F.S.; conforming provisions to changes made by the act; providing an effective date.

By the Committee on Judiciary; and Senator Simmons—

**CS for SB 1300**—A bill to be entitled An act relating to limited liability companies; providing a directive to the Division of Law Revision and Information; creating ch. 605, F.S.; providing a short title; providing definitions and general provisions relating to operating agreements, powers, property, rules of construction, names, and registered agents of limited liability companies; providing penalties for noncompliance with certain provisions; providing for the formation and filing of documents of a limited liability company with the Department of State; establishing the authority and liability of members and managers; providing for the relationship of members and management, voting, standards of conduct, records, and the right to obtain information; providing for transferable interests and the rights of transferees and creditors; providing for the dissociation of a member and its effects; providing for the dissolution and winding up of a limited liability company; providing for payment of attorney fees and costs in certain circumstances; establishing provisions for merger, conversion, domestication, interest exchange, and appraisal rights; providing miscellaneous provisions for application and construction, electronic signatures, tax exemption on income, interrogatories and other powers of the department, and reservation of power to amend or appeal; providing for severability; providing for the application to a limited liability company formed under the Florida Limited Liability Company Act; creating s. 48.062, F.S.; providing for service of process on a limited liability company; providing for the applicability of the Florida Limited Liability Company Act; providing for the future repeal of ch. 608, F.S., relating to the Florida Limited Liability Company Act; amending ss. 607.1109, 607.1113, 607.193, 617.1108, 620.2104, 620.2108, 620.8914, 620.8918, 621.051, and 621.07; providing cross-references to conform to changes made by the act; amending s. 621.12, F.S.; revising provisions relating to the identification of certain professional corporations to conform to changes made by the act; amending s. 621.13, F.S.; revising provisions relating to the applicability of certain chapters to the Professional Service Corporation and Limited Liability Company Act to conform to changes made by the act; providing effective dates.

By the Committee on Judiciary; and Senator Galvano—

**CS for SB 1384**—A bill to be entitled An act relating to nursing home litigation; amending s. 400.0237, F.S.; providing that a claim for punitive damages may not be brought unless there is a showing of admissible evidence proffered by the parties which provides a reasonable basis for recovery of punitive damages when certain criteria are applied; requiring the court to conduct a hearing to determine whether there is sufficient admissible evidence to ensure that there is a reasonable basis to believe that the claimant will be able to demonstrate by clear and convincing evidence that the recovery of punitive damages is appropriate; requiring the trier of fact to find by clear and convincing evidence that a specific person or corporate defendant actively and knowingly participated in intentional misconduct or engaged in conduct that constituted gross negligence and contributed to the loss, damages, or injury suffered by the claimant before punitive damages may be awarded; requiring an officer, director, or manager of the employer, corporation, or legal entity to condone, ratify, or consent to certain specified conduct before holding the licensee vicariously liable for punitive damages; providing an effective date.

By the Committee on Education; and Senator Montford—

**CS for SB 1388**—A bill to be entitled An act relating to instructional materials; creating s. 1006.283, F.S.; authorizing a district school board to review, adopt, and purchase instructional materials; requiring the district superintendent to notify the Department of Education if the district school board decides review, adopt and purchase instructional materials and to certify to the department that core instructional materials align with applicable state standards; requiring the district school board to adopt rules; authorizing the district school board to set and collect fees from a publisher that participates in the instructional materials review process; providing a limit on fees; providing pricing



requirements for instructional materials; requiring each district school board to submit an annual report to the Governor, the Legislature, and the State Board of Education by a specified date; amending s. 1006.29, F.S.; requiring the Commissioner of Education to appoint state instructional materials reviewers, rather than state or national experts, to review instructional materials; providing requirements, composition, appointments, and terms for state instructional materials reviewers; authorizing the commissioner to remove a reviewer for cause; providing for public disclosure of names and mailing addresses of appointed state instructional materials reviewers; requiring a district school board to be reimbursed for the cost of hiring a substitute teacher for each work day that a member of its instructional staff is absent while rendering service as a reviewer; authorizing a stipend for service as a reviewer; requiring entitlement of payment for per diem and reimbursement for travel expenses for service as a reviewer; providing that payments for substitute teachers and reviewers be made from the Textbook Bid Trust Fund; requiring the Department of Education to post certain instructional materials on its website; authorizing the department to contract with a nonprofit organization or association to administer the review process; amending ss. 1006.37 and 1006.40, F.S.; conforming provisions to changes made by the act; providing an effective date.

By the Committee on Banking and Insurance; and Senator Simmons—

**CS for SB 1410**—A bill to be entitled An act relating to fire safety and prevention; providing a directive to the Division of Law Revision and Information to create part I of ch. 633, F.S., entitled “General Provisions”; transferring, renumbering, and amending s. 633.021, F.S.; revising and providing definitions; transferring, renumbering, and amending s. 633.01, F.S.; revising provisions relating to the authority of the State Fire Marshal; removing references to the Life Safety Code; revising the renewal period for firesafety inspector requirements for certification; conforming cross-references; authorizing the State Fire Marshal to administer oaths and take testimony; authorizing the State Fire Marshal to enter into contracts with private entities for the administration of examinations; transferring, renumbering, and amending s. 633.163, F.S.; revising provisions relating to the disciplinary authority of the State Fire Marshal; authorizing the State Fire Marshal to deny, suspend, or revoke the licenses of certain persons; providing terms and conditions of probation; transferring and renumbering s. 633.15, F.S., relating to the force and effect of ch. 633, F.S., and rules adopted by the State Fire Marshal on municipalities, counties, and special districts having fire safety responsibilities; transferring, renumbering, and amending s. 633.101, F.S.; revising provisions relating to hearings, investigations, and recordkeeping duties and the authority of the State Fire Marshal; authorizing the State Fire Marshal to designate an agent for various purposes related to hearings; providing for the issuance of subpoenas; transferring, renumbering, and amending s. 633.111, F.S.; requiring the State Fire Marshal to keep records of all fires and explosions; transferring, renumbering, and amending s. 633.02, F.S.; revising provisions relating to the authority of agents of the State Fire Marshal; transferring and renumbering s. 633.14, F.S., relating to the powers of agents of the State Fire Marshal to make arrests, conduct searches and seizures, serve summonses, and carry firearms; transferring, renumbering, and amending s. 633.121, F.S., relating to persons authorized to enforce laws and rules of the State Fire Marshal; revising terminology; transferring, renumbering, and amending s. 633.151, F.S.; clarifying provisions relating to impersonating the State Fire Marshal, a firefighter, a firesafety inspector, or a volunteer firefighter, for which a criminal penalty is provided; transferring, renumbering, and amending s. 633.171, F.S.; providing penalties for rendering a fire protection system required by statute or by rule inoperative; providing penalties for using the certificate of another person, holding a license or certificate and allowing another person to use the license or certificate, and using or allowing the use of any certificate or permit by any individual or organization other than the individual to whom the certificate or permit is issued; conforming a cross-reference; transferring, renumbering, and amending s. 633.175, F.S., relating to investigation of fraudulent insurance claims and crimes and immunity of insurance companies supplying information relative thereto; defining the term “consultant”; revising provisions to include investigation of explosions in fraudulent insurance claim investigations; authorizing the State Fire Marshal to adopt rules to implement provisions relating to an insurance company’s investigation of a suspected fire or explosion by intentional means; revising terminology; conforming a cross-reference; transferring, re-

numbering, and amending s. 633.45, F.S.; clarifying and revising the powers and duties of the Division of State Fire Marshal; requiring the division to establish by rule uniform minimum standards for the employment and training of firefighters and volunteer firefighters; requiring the division to establish by rule minimum curriculum requirements and criteria for the approval of education or training providers; requiring the division to specify by rule standards for the approval, denial of approval, probation, suspension, and revocation of approval of education or training providers and facilities for training firefighters and volunteer firefighters; requiring the division to specify by rule standards for the certification, denial of certification, probation, and revocation of certification for instructors; requiring the division to establish by rule minimum training qualifications for persons serving as specified fire safety coordinators; requiring the division to issue specified licenses, certificates, and permits; conforming cross-references; creating s. 633.132, F.S.; establishing fees to be collected by the division; authorizing the division to establish by rule fees necessary to cover administrative costs and to collect such fees in advance; providing for the appropriation and deposit of all funds collected by the State Fire Marshal pursuant to ch. 633, F.S.; transferring and renumbering s. 633.39, F.S., relating to acceptance by the division of donations of property and grants of money; transferring, renumbering, and amending s. 633.115, F.S., relating to the Fire and Emergency Incident Information Reporting Program; making technical changes; conforming a cross-reference; creating s. 633.138, F.S.; providing requirements with respect to notice of change of address of record for, and notice of felony actions against, a licensee, permittee, or certificateholder; transferring, renumbering and amending s. 633.042, F.S.; revising the “Reduced Cigarette Ignition Propensity Standard and Firefighter Protection Act” to include preemption by the act of local laws and rules; providing a directive to the Division of Law Revision and Information to create part II of ch. 633, F.S., entitled “Fire Safety and Prevention”; transferring, renumbering, and amending s. 633.0215, F.S., relating to the Florida Fire Prevention Code; conforming cross-references; deleting an obsolete provision; transferring, renumbering, and amending s. 633.72, F.S., relating to the Florida Fire Code Advisory Council; revising membership of the council; providing for semiannual meetings of the council; authorizing the council to review proposed changes to the Florida Fire Prevention Code and specified uniform firesafety standards; conforming cross-references; transferring, renumbering, and amending s. 633.022, F.S., relating to uniform firesafety standards; revising applicability of uniform firesafety standards; removing obsolete provisions; transferring, renumbering, and amending s. 633.025, F.S., relating to minimum firesafety standards; deleting references to the Life Safety Code; conforming provisions to changes made by the act; conforming a cross-reference; transferring, renumbering, and amending s. 633.026, F.S., relating to informal interpretations of the Florida Fire Prevention Code and legislative intent with respect thereto; conforming provisions to changes made by the act; conforming cross-references; revising terminology to provide for declaratory statements rather than formal interpretations in nonbinding interpretations of Florida Fire Prevention Code provisions; transferring, renumbering, and amending s. 633.052, F.S., relating to ordinances relating to fire safety and penalties for violation; conforming terminology; providing that a special district may enact any ordinance relating to fire safety codes that is identical to ch. 633, F.S., or any state law, except as to penalty; transferring, renumbering, and amending s. 633.081, F.S., relating to inspection of buildings and equipment; clarifying persons authorized to inspect buildings and structures; conforming cross-references; revising requirements of persons conducting fire safety inspections; revising the period of validity of, and continuing education requirements for, fire safety inspector certificates; requiring repeat training for certified firesafety inspectors whose certification has lapsed for a specified period; revising grounds for denial, refusal to renew, suspension, or revocation of a fire safety inspector certificate; requiring the department to provide by rule for the certification of Fire Code Administrators; transferring, renumbering, and amending s. 633.085, F.S., relating to inspection of state buildings and premises; defining the terms “high-hazard occupancy” and “state-owned building”; providing for identification of state-owned buildings or state-leased buildings or space; authorizing, rather than requiring, the State Fire Marshal or agents thereof to conduct performance tests on any electronic fire warning and smoke detection system, and any pressurized air-handling unit, in any state-owned building or state-leased building or space on a recurring basis; requiring the State Fire Marshal or agents thereof to ensure that fire drills are conducted in all high-hazard state-owned buildings or high-hazard state-leased occupancies at least annually; requiring that all new construction or renovation, alteration, or change of occupancy of any existing, state-



owned building or state-leased building or space comply with uniform firesafety standards; authorizing the division to inspect state-owned buildings and spaces and state-leased buildings and spaces as necessary before occupancy or during construction, renovation, or alteration to ascertain compliance with uniform firesafety standards; requiring the division to issue orders to cease construction, renovation, or alteration, or to preclude occupancy, of a state-owned or state-leased building or space for noncompliance; transferring, renumbering, and amending s. 633.027, F.S., relating to buildings with light-frame truss-type construction; conforming cross-references; transferring, renumbering, and amending s. 633.60, F.S., relating to automatic fire sprinkler systems for one-family dwellings, two-family dwellings, and mobile homes; conforming a cross-reference; transferring and renumbering s. 633.557, F.S., relating to the nonapplicability of the act to owners of property who are building or improving farm outbuildings and standpipe systems installed by plumbing contractors; transferring, renumbering, and amending s. 633.161, F.S., relating to violations and enforcement of ch. 633, F.S., orders resulting from violations, and penalties for violation; conforming cross-references; providing a directive to the Division of Law Revision and Information to create part III of ch. 633, F.S., entitled "Fire Protection and Suppression"; transferring, renumbering, and amending s. 633.511, F.S., relating to the Florida Fire Safety Board; conforming provisions to changes made by the act; conforming cross-references; requiring the board to act in an advisory capacity; authorizing the board to review complaints and make recommendations; providing for election of officers, quorum, and compensation of the board; requiring the board to adopt a seal; transferring, renumbering, and amending s. 633.061, F.S., relating to licensure to install or maintain fire suppression equipment; removing the fee schedule from such provisions; revising provisions relating to fire equipment dealers who wish to withdraw a previously filed halon equipment exemption affidavit; providing conditions that an applicant for a license of any class who has facilities located outside the state must meet in order to obtain a required equipment inspection; providing for the adoption of rules with respect to the establishment and calculation of inspection costs; revising and clarifying provisions that exclude from licensure for a specified period applicants having a previous criminal conviction; defining the term "convicted"; providing conditions under which a licensed fire equipment dealer may apply to convert the license currently held to a higher or lower licensing category; providing a procedure for an applicant who passes an examination for licensure or permit but fails to meet remaining qualifications within 1 year after the application date; transferring, renumbering, and amending s. 633.065, F.S., relating to requirements for installation, inspection, and maintenance of fire suppression equipment; conforming a cross-reference; transferring, renumbering, and amending s. 633.071, F.S., relating to standard service tags required on all fire extinguishers and preengineered systems; conforming a cross-reference; transferring, renumbering, and amending s. 633.082, F.S., relating to inspection of fire control systems, fire hydrants, and fire protection systems; conforming a cross-reference; making technical changes; transferring, renumbering, and amending s. 633.083, F.S., relating to the prohibited sale or use of certain types of fire extinguishers and penalty therefor; making a technical change; transferring, renumbering, and amending s. 633.162, F.S., relating to fire suppression system contractors and disciplinary actions with respect thereto; conforming cross-references; clarifying provisions; transferring, renumbering, and amending s. 633.521, F.S., relating to certification as fire protection system contractor; clarifying provisions and making technical changes; conforming cross-references; transferring, renumbering, and amending s. 633.551, F.S., relating to county and municipal powers and the effect of ch. 75-240, Laws of Florida; making technical changes; transferring and renumbering s. 633.527, F.S., relating to records concerning an applicant and the extent of confidentiality; transferring and renumbering s. 633.531, F.S., relating to statewide effectiveness and nontransferability of certificates; transferring, renumbering, and amending s. 633.534, F.S., relating to the issuance of certificates to individuals and business organizations; making a technical change; transferring, renumbering, and amending s. 633.537, F.S., relating to renewal and expiration of certificates; deleting an obsolete provision; deleting a provision which prescribes the biennial renewal fee for an inactive status certificate; making technical changes; transferring, renumbering, and amending s. 633.539, F.S., relating to requirements for installation, inspection, and maintenance of fire protection systems; conforming a cross-reference; transferring, renumbering, and amending s. 633.541, F.S., relating to the prohibition against contracting as a fire protection contractor without a certificate and penalty for violation thereof; conforming cross-references; making a technical change; transferring, renumbering, and amending s. 633.547,

F.S., relating to disciplinary action concerning fire protection system contractors; revising provisions that authorize the State Fire Marshal to suspend a fire protection system contractor's or permittee's certificate; deleting provisions authorizing revocation of a certificate for a specified period; conforming a cross-reference; transferring, renumbering, and amending s. 633.549, F.S., relating to violations that are subject to injunction; making a technical change; transferring and renumbering s. 633.554, F.S., relating to application of ch. 633, F.S., regulating contracting and contractors; transferring, renumbering, and amending s. 633.70, F.S., relating to jurisdiction of the State Fire Marshal over alarm system contractors and certified unlimited electrical contractors; conforming a cross-reference; transferring and renumbering s. 633.701, F.S., relating to requirements for fire alarm system equipment; transferring, renumbering, and amending s. 633.702, F.S., relating to prohibited acts regarding alarm system contractors or certified unlimited electrical contractors and penalties for violations; making technical changes; providing a directive to the Division of Law Revision and Information to create part IV of ch. 633, F.S., entitled "Fire Standards and Training"; transferring, renumbering, and amending s. 633.31, F.S.; revising provisions relating to the Firefighters Employment, Standards, and Training Council; providing for an additional member of the council; providing for organization of the council, meetings, quorum, compensation, and adoption of a seal; providing for special powers of the council in connection with the employment and training of firefighters; transferring, renumbering, and amending s. 633.42, F.S., relating to the authority of fire service providers to establish qualifications and standards for hiring, training, or promoting firefighters which exceed the minimum set by the department; conforming terminology; creating s. 633.406, F.S.; specifying classes of certification awarded by the division; authorizing the division to establish specified additional certificates by rule; transferring, renumbering, and amending s. 633.35, F.S.; revising provisions relating to firefighter and volunteer firefighter training and certification; requiring the division to establish by rule specified courses and course examinations; providing that courses may only be administered by specified education or training providers and taught by certified instructors; revising provisions with respect to payment of training costs and payment of tuition for attendance at approved courses; providing requirements for issuance by the division of a firefighter certificate of compliance; providing requirements for issuance by the division of a Volunteer Firefighter Certificate of Completion; authorizing the division to issue a Special Certificate of Compliance; providing requirements and limitations with respect thereto; providing procedures and requirements for reexamination after failure of an examination; increasing the required number of hours of the structural fire training program; providing for a Forestry Certificate of Compliance and prescribing the rights, privileges, and benefits thereof; transferring, renumbering, and amending s. 633.34, F.S., relating to qualifications for certification as a firefighter; revising provisions relating to disqualifying offenses; providing requirements of the division with respect to suspension or revocation of a certificate; making technical changes; conforming cross-references; transferring, renumbering, and amending s. 633.352, F.S., relating to firefighter employment and volunteer firefighter service; revising provisions relating to retention of certification as a firefighter; defining the term "active"; transferring, renumbering, and amending s. 633.41, F.S.; prohibiting a fire service provider from employing an individual as a firefighter or supervisor of firefighters and from retaining the services of an individual volunteering as a firefighter or a supervisor of firefighters without required certification; requiring a fire service provider to make a diligent effort to determine possession of required certification prior to employing or retaining an individual for specified services; defining the term "diligent effort"; requiring a fire service provider to notify the division of specified hirings, retentions, terminations, decisions not to retain a firefighter, and determinations of failure to meet certain requirements; authorizing the division to conduct site visits to fire departments to monitor compliance; defining the term "employ"; conforming cross-references; transferring, renumbering, and amending s. 633.38, F.S., relating to curricula and standards for advanced and specialized training prescribed by the division; revising terminology to conform; conforming cross-references; transferring, renumbering, and amending s. 633.382, F.S., relating to supplemental compensation for firefighters who pursue specified higher educational opportunities; removing definitions; requiring the State Fire Marshal to determine, and adopt by rule, course work or degrees that represent the best practices toward supplemental compensation goals; specifying that supplemental compensation shall be paid to qualifying full-time employees of a fire service provider; conforming terminology; clarifying provisions; specifying that policy guidelines be adopted by rule; classi-

fying the division as a fire service provider responsible for the payment of supplemental compensation to full-time firefighters employed by the division; transferring, renumbering, and amending s. 633.353, F.S., relating to falsification of qualifications; clarifying provisions that provide a penalty for falsification of qualifications provided to the Bureau of Fire Standards and Training of the division; transferring, renumbering, and amending s. 633.351, F.S., relating to disciplinary action and standards for revocation of certification; providing definitions; providing conditions for ineligibility to apply for certification under ch. 633, F.S.; providing conditions for permanent revocation of certification, prospective application of such provisions, and retroactive application with respect to specified convictions; revising provisions relating to revocation of certification; providing requirements with respect to application for certification; requiring specified submission of fingerprints; providing a fee; providing requirements of the Department of Law Enforcement with respect to submitted fingerprints; transferring, renumbering, and amending s. 633.43, F.S., relating to the establishment of the Florida State Fire College; conforming a provision to changes made by the act; transferring, renumbering, and amending s. 633.44, F.S., relating to the purposes of the Florida State Fire College and part IV of ch. 633, F.S.; expanding such purpose; conforming a cross-reference; transferring, renumbering, and amending s. 633.48, F.S., relating to the superintendent of the Florida State Fire College; conforming a cross-reference; transferring, renumbering, and amending s. 633.461, F.S., relating to uses of funds from the Insurance Regulatory Trust Fund; clarifying provisions; transferring and renumbering s. 633.47, F.S., relating to the procedure for making expenditures on behalf of the Florida State Fire College; transferring, renumbering, and amending s. 633.49, F.S., relating to the use of buildings, equipment, and other facilities of the fire college; conforming a cross-reference; transferring, renumbering, and amending s. 633.50, F.S., relating to additional duties of the Division of State Fire Marshal related to the Florida State Fire College; conforming cross-references; transferring and renumbering s. 633.46, F.S., relating to fees to be charged for training; providing a directive to the Division of Law Revision and Information to create part V of ch. 633, F.S., entitled "Florida Firefighters Occupational Safety and Health Act"; transferring, renumbering, and amending s. 633.801, F.S., relating to a short title; conforming a cross-reference; transferring, renumbering, and amending s. 633.802, F.S., relating to definitions; revising definitions of "firefighter employee," "firefighter employer," and "firefighter place of employment"; transferring, renumbering, and amending s. 633.803, F.S., relating to legislative intent to enhance firefighter occupational safety and health in the state; clarifying provisions; conforming cross-references; transferring, renumbering, and amending s. 633.821, F.S., relating to assistance by the division in facilitating firefighter employee workplace safety; revising references to publications; removing obsolete provisions; revising requirements and responsibilities of the division; transferring, renumbering, and amending s. 633.817, F.S., relating to remedies available to the division for noncompliance with part V of ch. 633, F.S.; conforming cross-references; transferring and renumbering s. 633.805, F.S., relating to a required study by the division of firefighter employee occupational diseases; transferring, renumbering, and amending s. 633.806, F.S., relating to certain duties of the division; revising provisions that require the division to make studies, investigations, inspections, and inquiries with respect to compliance with part V of ch. 633, F.S., or rules authorized thereunder, and the causes of firefighter employee injuries, illnesses, safety-based complaints, or line-of-duty deaths in firefighter employee places of employment; authorizing the division to adopt by rule procedures for conducting inspections and inquiries of firefighter employers under part V of ch. 633, F.S.; authorizing the division to enter premises to investigate compliance; providing a criminal penalty; conforming references; transferring, renumbering, and amending s. 633.807, F.S., relating to safety responsibilities of firefighter employers; revising definitions of the terms "safe" and "safety"; transferring, renumbering, and amending s. 633.809, F.S.; relating to firefighter employers with a high frequency of firefighter employee work-related injuries; revising provisions relating to required safety inspections; clarifying that the division may not assess penalties as a result of such inspections; requiring firefighter employers to submit a plan for the correction of noncompliance issues to the division for approval in accordance with division rule; providing procedures if a plan is not submitted, does not provide corrective actions, is incomplete, or is not implemented; providing for workplace safety committees and coordinators, including mandatory negotiations during collective bargaining; requiring the division to adopt rules; providing for compensation of the workplace safety committee; authorizing cancellation of an insurance plan due to noncompliance; transferring, renumbering, and amending s.

633.811, F.S., relating to firefighter employer penalties; prescribing additional administrative penalties for firefighter employers for violation of, or refusal to comply with, part V of ch. 633, F.S.; providing for location of hearings; transferring, renumbering, and amending s. 633.812, F.S., relating to specified cooperation by the division with the Federal Government; clarifying requirements from which private firefighter employers are exempt; eliminating a prerequisite to exemption for specified firefighter employers; requiring reinspection after specified noncompliance; transferring, renumbering, and amending s. 633.816, F.S., relating to firefighter employee rights and responsibilities; conforming cross-references; transferring, renumbering, and amending s. 633.818, F.S., relating to false statements; conforming a cross-reference; prohibiting a person from committing certain fraudulent acts in any matter within the jurisdiction of the division; providing criminal penalties; providing a statute of limitation; transferring, renumbering, and amending s. 633.814, F.S., relating to disbursement of expenses to administer part V of ch. 633, F.S.; conforming a cross-reference; amending s. 112.011, F.S.; removing provisions that exclude from employment for a specified period an applicant for employment with a fire department who has a prior felony conviction; amending s. 112.191, F.S.; revising provisions relating to adjustments in payments of accidental death benefits for firefighters; amending s. 120.541, F.S.; revising a cross-reference to conform with changes made in the act; amending s. 196.081, F.S.; revising a cross-reference to conform with changes made in the act; amending s. 633.167, F.S.; deleting a provision providing for terms and conditions of probation; amending s. 633.517, F.S.; deleting a provision authorizing the State Fire Marshal to administer oaths and take testimony; repealing s. 633.024, F.S., relating to legislative findings and intent with respect to ensuring effective fire protection of vulnerable nursing home residents, the expedited retrofit of existing nursing homes through a limited state loan guarantee, and funding thereof; repealing s. 633.0245, F.S., relating to the State Fire Marshal Nursing Home Fire Protection Loan Guarantee Program; repealing s. 633.03, F.S., relating to investigations of fire and reports; repealing s. 633.0421, F.S., relating to preemption of the reduced cigarette ignition propensity standard by the state; repealing s. 633.13, F.S., relating to the authority of State Fire Marshal agents; repealing s. 633.18, F.S., relating to hearings and investigations by the State Fire Marshal; repealing s. 633.30, F.S., relating to definitions with respect to standards for firefighting; repealing s. 633.32, F.S., relating to organization, meetings, quorum, compensation, and seal of the Firefighters Employment, Standards, and Training Council; repealing s. 633.33, F.S., relating to special powers of the Firefighters Employment, Standards, and Training Council in connection with the employment and training of firefighters; repealing s. 633.37, F.S., relating to payment of tuition at approved training programs by the employing agency; repealing s. 633.445, F.S., relating to the State Fire Marshal Scholarship Grant Program; repealing s. 633.46, F.S., relating to authority of the Division of State Fire Marshal to fix and collect admission fees and other fees it deems necessary to be charged for training; repealing s. 633.514, F.S., relating to Florida Fire Safety Board duties, meetings, officers, quorum, and compensation; repealing s. 633.524, F.S., relating to certificate and permit fees assessed under ch. 633, F.S., and the use and deposit thereof; repealing s. 633.804, F.S., relating to the adoption of rules governing firefighter employer and firefighter employee safety inspections and consultations; repealing s. 633.808, F.S., relating to division authority; repealing s. 633.810, F.S., relating to workplace safety committees and safety coordinators; repealing s. 633.813, F.S., relating to cancellation of an insurance policy for failure to implement a safety and health program; repealing s. 633.815, F.S., relating to penalties for refusing entry to a firefighter place of employment for the purposes of investigations or inspections by the division; repealing s. 633.819, F.S., relating to matters within the jurisdiction of the division and fraudulent acts, penalties, and statute of limitations; repealing s. 633.820, F.S., relating to the applicability of specified sections of ch. 633, F.S., to volunteer firefighters and volunteer fire departments; amending ss. 112.1815, 112.191, 112.81, 119.071, 120.80, 121.0515, 125.01, 125.01045, 125.56, 166.0446, 175.032, 175.121, 218.23, 252.515, 255.45, 258.0145, 281.02, 384.287, 395.0163, 400.232, 400.915, 429.41, 429.44, 429.73, 447.203, 468.602, 468.609, 489.103, 489.105, 496.404, 509.032, 513.05, 553.73, 553.77, 553.79, 590.02, 627.4107, 893.13, 934.03, 943.61, 1002.33, 1002.34, 1013.12, and 1013.38, F.S.; conforming cross-references; updating terminology; providing an effective date.

By the Committee on Health Policy; and Senator Hays—

**CS for SB 1482**—A bill to be entitled An act relating to skilled nursing facilities; creating s. 408.0362, F.S.; providing an exemption from certificate-of-need requirements for construction of a licensed skilled nursing facility in a retirement community; providing an effective date.

By the Committee on Governmental Oversight and Accountability; and Senator Latvala—

**CS for SB 1490**—A bill to be entitled An act relating to business entity filing fees; amending ss. 607.0122, 608.452, 617.0122, and 620.1109, F.S.; combining certain individual fees into one initial filing fee, revising fees, and requiring the imposition of a late charge under certain circumstances for a corporation for profit, a limited liability company, a corporation not for profit, a domestic limited partnership, and a foreign limited partnership, respectively; amending s. 620.81055, F.S.; revising fees and requiring the imposition of a late charge under certain circumstances for a limited liability partnership; repealing s. 607.193, F.S., relating to supplemental corporate fees; providing an effective date.

By the Committee on Children, Families, and Elder Affairs; and Senator Gibson—

**CS for SB 1650**—A bill to be entitled An act relating to child care facilities; amending s. 402.305, F.S.; requiring licensed child care facilities to implement certain additional nutritional practices; providing an effective date.

By the Committee on Children, Families, and Elder Affairs; and Senator Joyner—

**CS for SB 1682**—A bill to be entitled An act relating to residential services for children; amending s. 409.175, F.S.; revising the definition of the term “boarding school”; providing accreditation requirements for boarding schools; establishing reporting requirements for boarding schools during the accreditation process; providing an exemption for the reporting requirements; authorizing the Department of Children and Families to impose administrative sanctions or civil remedies when residential group care is being provided without a license; requiring background screening for certain boarding school personnel; defining the term “direct student contact”; requiring boarding schools to follow standard school schedules, holiday breaks, and summer recesses; providing that children other than foreign citizens may not be year-round residents; amending s. 409.176, F.S.; providing notification requirements for qualified associations for specified violations; providing reporting requirements for the qualified association regarding Type II facilities; authorizing the Department of Children and Families to adopt rules; providing an effective date.

By the Committee on Environmental Preservation and Conservation; and Senator Altman—

**CS for SB 1684**—A bill to be entitled An act relating to environmental regulation; amending s. 20.255, F.S.; authorizing the Department of Environmental Protection to adopt rules requiring or incentivizing the electronic submission of forms, documents, fees, and reports required for certain permits; amending ss. 125.022 and 166.033, F.S.; providing requirements for the review of development permit applications by counties and municipalities; amending s. 211.3103, F.S.; revising the definition of “phosphate-related expenses” to include maintenance and restoration of certain lands; amending s. 253.0345, F.S.; revising provisions for the duration of leases and letters of consent issued by the Board of Trustees of the Internal Improvement Trust Fund for special events; providing conditions for fees relating to such leases and letters of consent; creating s. 253.0346, F.S.; defining the term “first-come, first-served basis”; providing conditions for the discount and waiver of lease fees and surcharges for certain marinas, boatyards, and marine retailers; providing applicability; amending s. 253.0347, F.S.; exempting lessees of certain docks from lease fees; amending s. 373.118, F.S.; deleting provisions requiring the department to adopt general permits for public marina facilities; deleting certain requirements under general permits for public marina facilities and mooring fields; limiting

the number of vessels for mooring fields authorized under such permits; amending s. 373.233, F.S.; clarifying conditions for competing consumptive use of water applications; amending s. 373.236, F.S.; prohibiting water management districts from reducing certain allocations as a result of activities relating to sources that are resistant to drought; providing an exception; amending s. 373.308, F.S.; providing that issuance of well permits is the sole responsibility of water management districts; prohibiting government entities from imposing requirements and fees and establishing programs for installation and abandonment of groundwater wells; amending s. 373.323, F.S.; providing that licenses issued by water management districts are the only water well construction licenses required for construction, repair, or abandonment of water wells; authorizing licensed water well contractors to install equipment for all water systems; amending s. 373.406, F.S.; exempting specified ponds, ditches, and wetlands from surface water management and storage requirements; amending s. 373.701, F.S.; providing a legislative declaration that efforts to adequately and dependably meet water needs; requiring the cooperation of utility companies, private landowners, water consumers, and the Department of Agriculture and Consumer Services; amending s. 373.703, F.S.; requiring the governing boards of water management districts to assist self-suppliers, among others, in meeting water supply demands; authorizing the governing boards to contract with self-suppliers for the purpose of carrying out its powers; amending s. 373.709, F.S.; requiring water management districts to coordinate and cooperate with the Department of Agriculture and Consumer Services for regional water supply planning; providing criteria and requirements for determining agricultural water supply demand projections; amending s. 376.313, F.S.; holding harmless a person who discharges pollution pursuant to ch. 403, F.S.; amending s. 403.031, F.S.; defining the term “beneficiaries”; amending s. 403.061, F.S.; authorizing the department to adopt rules requiring or incentivizing the electronic submission of forms, documents, fees, and reports required for certain permits; amending s. 403.0872, F.S.; extending the payment deadline of permit fees for major sources of air pollution and conforming the date for related notice by the department; revising provisions for the calculation of such annual fees; amending s. 403.7046, F.S.; revising requirements relating to recovered materials; amending s. 403.813, F.S.; revising conditions under which certain permits are not required for seawall restoration projects; creating s. 403.8141, F.S.; requiring the Department of Environmental Protection to establish general permits for special events; providing permit requirements; amending s. 403.973, F.S.; authorizing expedited permitting for natural gas pipelines, subject to specified certification; providing that natural gas pipelines are subject to certain requirements; providing that natural gas pipelines are eligible for certain review; amending s. 570.076, F.S.; conforming a cross-reference; amending s. 570.085, F.S.; requiring the Department of Agriculture and Consumer Services to establish an agricultural water supply planning program; providing program requirements; providing an effective date.

By the Committee on Community Affairs; and Senator Garcia—

**CS for SB 1716**—A bill to be entitled An act relating to growth management; amending s. 163.3180, F.S.; prohibiting a local government from applying transportation concurrency or requiring proportionate-share contribution or construction for new business development for a specified period; providing an exception; providing for an extension of the prohibition under certain conditions; providing for applicability; providing for future expiration; amending s. 163.31801, F.S.; prohibiting certain counties, municipalities, and special districts from imposing certain new or existing impact fees for a specified period; providing an exception; providing for an extension of the prohibition under certain conditions; providing for applicability; providing for future expiration; providing an effective date.

By the Committee on Children, Families, and Elder Affairs; and Senator Garcia—

**CS for SB 1724**—A bill to be entitled An act relating to transitional living facilities; creating part XI of ch. 400, F.S., entitled “Transitional Living Facilities”; creating s. 400.9970, F.S.; providing legislative intent; creating s. 400.9971, F.S.; providing definitions; creating s. 400.9972, F.S.; requiring the licensure of transitional living facilities; providing fees; providing license application requirements; creating s. 400.9973, F.S.; providing requirements for transitional living facilities relating to

client admission, transfer, and discharge; creating s. 400.9974, F.S.; requiring a comprehensive treatment plan to be developed for each client; providing plan requirements; creating s. 400.9975, F.S.; providing licensee responsibilities; providing notice requirements; prohibiting a licensee or employee of a facility from serving notice upon a client to leave the premises or take other retaliatory action; requiring the client and client's representative to be provided with certain information; requiring the licensee to develop and implement certain policies and procedures; creating s. 400.9976, F.S.; providing licensee requirements relating to medication practices; creating s. 400.9977, F.S.; providing requirements for the screening of potential employees and monitoring of employees for the protection of clients; requiring licensees to implement certain procedures; creating s. 400.9978, F.S.; providing requirements for the use of physical restraints and chemical restraint medication on clients; creating s. 400.9979, F.S.; providing background screening requirements; requiring the licensee to maintain certain personnel records; providing administrative responsibilities for licensees; providing recordkeeping requirements; creating s. 400.9980, F.S.; providing requirements relating to property and personal affairs of clients; providing requirements for a licensee with respect to obtaining surety bonds; providing recordkeeping requirements relating to the safekeeping of personal effects; providing requirements for trust funds received by licensee and credited to the client; providing a penalty for certain misuse of a resident's personal needs allowance; providing criminal penalties for violations; providing for the disposition of property in the event of the death of a client; authorizing the Agency for Health Care Administration to adopt rules; creating s. 400.9981, F.S.; authorizing the agency to adopt and enforce certain rules; creating s. 400.9982, F.S.; providing procedures relating to violations and penalties; providing administrative fines for specified classes of violations; creating s. 400.9983, F.S.; authorizing the agency to apply certain provisions with regard to receivership proceedings; creating s. 400.9984, F.S.; requiring the Agency for Health Care Administration, the Department of Health, the Agency for Persons with Disabilities, and the Department of Children and Families to develop electronic systems for certain purposes; repealing s. 400.805, F.S., relating to transitional living facilities; providing that every transitional living facility licensed under s. 400.805, F.S., on or before a specified date is licensed under the provisions of the act; amending s. 381.745, F.S.; revising a definition; amending s. 381.75, F.S.; revising the duties of the Department of Health as they relate to transitional living facilities; s. 381.78, F.S.; conforming provisions to changes made by the act; providing an effective date.

### REFERENCE CHANGES PURSUANT TO RULE 4.7(2)

By the Committees on Rules; and Appropriations; and Senators Braynon and Abruzzo—

**CS for SB 306**—A bill to be entitled An act relating to economic development; amending s. 125.0104, F.S.; providing that tourist development tax revenues may also be used to pay the debt service on bonds that finance the renovation of a professional sports facility that is publicly owned, or that is on publicly owned land, and that is publicly operated or operated by the owner of a professional sports franchise or other lessee; requiring that the renovation costs exceed a specified amount; allowing certain fees and costs to be included in the cost for renovation; requiring private contributions to the professional sports facility as a condition for the use of tourist development taxes; authorizing the use of certain tax revenues to pay for operation and maintenance costs of the renovated facility; requiring a majority-plus-one vote of the membership of the board of county commissioners to levy a tax for renovation of a sports franchise facility after approval by a majority of the electors voting in a referendum to approve the proposal; authorizing the referendum to be held before or after the effective date of this act; providing requirements for the referendum ballot; providing for non-application of the prohibition against levying such tax in certain cities and towns under certain conditions; restricting certain counties from levying the tax; providing for controlling application notwithstanding conflicting provisions; authorizing the use of tourist development tax revenues for financing the renovation of a professional sports franchise facility; amending s. 212.20, F.S.; authorizing a distribution for an applicant that has been approved by the Legislature and certified by the Department of Economic Opportunity under s. 288.11625, F.S.; providing a limitation; amending s. 220.153, F.S.; conforming a cross-reference; repealing s. 220.62(3) and (5), F.S., relating to the definition of the terms

“international banking facility” and “foreign person” in the income tax code; repealing s. 220.63(5), F.S., relating to an income tax deduction for international banking facilities; providing retroactive applicability and effect of certain provisions of the act; creating s. 288.11625, F.S.; providing that the Department of Economic Opportunity shall screen applicants for state funding for sports development; defining the terms “applicant,” “agreement,” “beneficiary,” “facility,” “major professional sports franchise,” “sports franchise or association,” “off-season sports training franchise,” “project,” and “signature event”; providing a purpose to provide funding for applicants for constructing, reconstructing, renovating, or improving a facility; providing an application and approval process; providing for an annual application period from June 1 to November 1; providing for the Department of Economic Opportunity to submit recommendations to the Legislature by February 1; requiring legislative approval for state funding; providing for a contract between the department and the applicant; providing evaluation criteria for an applicant to receive state funding; providing for reimbursement of the state funding under certain circumstances; providing for evaluation and ranking of applicants under certain criteria; allowing the department to determine the type of beneficiary; providing levels of state funding up to a certain amount of new incremental state sales tax revenue; providing for a distribution and calculation; providing for adjustment of the distribution; requiring the Department of Revenue to distribute funds within 45 days of notification by the department; limiting annual distributions to \$15 million; limiting use of funds; requiring an applicant to submit information to the department annually; requiring a 5-year review; authorizing the Auditor General to conduct audits; providing for an application related to a signature event; authorizing the Legislative Budget Commission to approve an application; providing for discontinuation of distributions under certain circumstances; permitting the Department of Economic Opportunity and the Department of Revenue to adopt rules; contingently creating s. 288.116255, F.S.; providing for an evaluation; authorizing the Department of Revenue and the Department of Economic Opportunity to adopt emergency rules; providing effective dates.

—was referred to the Committee on Appropriations.

By the Committee on Health Policy; and Senator Grimsley—

**CS for SB 732**—A bill to be entitled An act relating to pharmacy; amending s. 465.019, F.S.; permitting a class II institutional pharmacy formulary to include biologics, biosimilars, and biosimilar interchangeables; creating s. 465.0252, F.S.; providing definitions; providing requirements for a pharmacist to dispense a substitute biological product that is determined to be biosimilar to and interchangeable for the prescribed biological product; providing notification requirements for a pharmacist in a class II or modified class II institutional pharmacy; requiring the Board of Pharmacy to maintain a current list of interchangeable biosimilar products; providing an effective date.

—was referred to the Committees on Appropriations Subcommittee on Health and Human Services; and Appropriations.

By the Committee on Health Policy; and Senator Flores—

**CS for SB 1094**—A bill to be entitled An act relating to home health agencies; amending s. 400.474, F.S.; revising the requirements for the quarterly reporting by a home health agency of certain data submitted to the Agency for Health Care Administration; imposing a fine for failure to timely submit the quarterly report; providing an exemption to the imposition of the fine; providing an effective date.

—was referred to the Committee on Appropriations.

By the Committee on Health Policy; and Senator Hays—

**CS for SB 1482**—A bill to be entitled An act relating to skilled nursing facilities; creating s. 408.0362, F.S.; providing an exemption from certificate-of-need requirements for construction of a licensed skilled nursing facility in a retirement community; providing an effective date.

—was referred to the Committees on Judiciary; and Appropriations.

## MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

### EXECUTIVE APPOINTMENTS SUBJECT TO CONFIRMATION BY THE SENATE:

The Secretary of State has certified that pursuant to the provisions of section 114.05, Florida Statutes, certificates subject to confirmation by the Senate have been prepared for the following:

<i>Office and Appointment</i>		<i>For Term Ending</i>
Florida Building Code Administrators and Inspectors Board		
Appointee:	Francis, Wayne A., Brandon	10/31/2016
Board of Trustees of Northwest Florida State College		
Appointee:	Flynt, Michael M., Sr., Miramar Beach	05/31/2014
Board of Trustees of St. Johns River State College		
Appointee:	Webb, Mary Ellen, St. Augustine	05/31/2013
Board of Massage Therapy		
Appointee:	Burke-Wammack, Bridget K., Tallahassee	10/31/2016
Board of Physical Therapy Practice		
Appointee:	Tasso, Kay H., Ponte Vedra	10/31/2016
Florida Prepaid College Board		
Appointee:	Champion, Robert C., Ponte Vedra Beach	06/30/2014
Withlacoochee Regional Planning Council, Region 5		
Appointee:	Craig, Avis Marie, Crystal River	10/01/2015
Southwest Florida Regional Planning Council, Region 9		
Appointee:	Karau, Melvin E., Ft. Denaud	10/01/2015
Governing Board of the Suwannee River Water Management District		
Appointee:	Johns, Virginia H., Gainesville	03/01/2017
<b>Referred to the Committee on Ethics and Elections.</b>		
<i>Office and Appointment</i>		<i>For Term Ending</i>
Board of Trustees, University of Florida		
Appointee:	Thomas, David M., Windermere	01/06/2018

**Referred to the Committees on Education; and Ethics and Elections.**

*Office and Appointment*

*For Term  
Ending*

Governing Board of the Southwest Florida Water Management District

Appointee: Mann, George W. III Polk City 03/01/2017

**Referred to the Committees on Environmental Preservation and Conservation; and Ethics and Elections.**

*Office and Appointment*

*For Term  
Ending*

Investment Advisory Council

Appointee: Collins, Peter H., Tampa 12/12/2016

**Referred to the Committees on Governmental Oversight and Accountability; and Ethics and Elections.**

## CORRECTION AND APPROVAL OF JOURNAL

The Journals of March 27 and April 3 were corrected and approved.

## CO-INTRODUCERS

Senators Bean—CS for SB 422; Brandes—CS for SB 422; Bullard—SB 1164; Gaetz—CS for SB 422; Galvano—CS for SB 422; Gardiner—CS for SB 422; Grimsley—CS for SB 422; Joyner—CS for SB 422; Latvala—CS for SB 378, CS for SB 422; Lee—CS for SB 422; Legg—CS for SB 422; Richter—CS for SB 422; Sachs—CS for SB 422; Simmons—CS for SB 422; Soto—SR 1788; Thrasher—CS for SB 422

## MOTION

On motion by Senator Thrasher, the Special Order Calendar Group was granted permission to meet at 5:45 p.m. in lieu of 5:55 p.m. as scheduled this day.

## ADJOURNMENT

On motion by Senator Thrasher, the Senate adjourned at 5:32 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 10:00 a.m., Wednesday, April 10 or upon call of the President.

# JOURNAL OF THE SENATE

## Daily Numeric Index for

April 4, 2013

BA — Bill Action  
BP — Bill Passed  
CO — Co-Introducers  
CR — Committee Report

CS — Committee Substitute, First Reading  
FR — First Reading  
MO — Motion  
RC — Reference Change

CS/SB 56 . . . . . (BA) 310, (BP) 310  
CS/SB 60 . . . . . (BA) 305, (BP) 305  
CS/CS/SB 86 . . . . . (BA) 312  
CS/SB 86 . . . . . (CR) 345  
CS/CS/SB 92 . . . . . (BA) 312, (CR) 345  
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